

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CONSUMER AFFAIRS

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March 12, 2010  
Start: 10:03 am  
Recess: 1:27 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:  
KAREN KOSLOWITZ  
Chairperson

COUNCIL MEMBERS:  
James F. Gennaro  
Leroy G. Comrie, Jr.  
Charles Barron  
Brad Lander  
Elizabeth Crowley  
Michael C. Nelson  
Melissa Mark-Viverito  
Julissa Ferreras  
Vincent Ignizio  
Diana Reyna  
G. Oliver Koppell  
Daniel Dromm

## A P P E A R A N C E S (CONTINUED)

Daniel Kass  
Acting Deputy Commissioner, Environmental Health  
NYC Department of Health and Mental Hygiene

Michael Schnall  
Director of Government Relations  
Department of Parks and Recreation

Andrew Eiler  
Consumer Affairs

Demos Demopoulos  
Executive Officer and Secretary Treasurer  
Teamsters Local 553

Father Brian Jordan

Stephen Malone  
Executive Director, Treasurer, Advisory Board Rep.  
Teamsters Local 553

Sonia Ivany  
President  
New York Chapter of the Labor Council for Latin  
American Advancement

Laura Eldridge  
Executive Director  
New Yorkers for Clean, Livable and Safe Streets

Melissa Norden  
Chief of Staff  
American Society for the Prevention of Cruelty to  
Animals

Matthew Schwartz

Jane Hoffman  
Board Member  
New Yorkers for Clean, Livable and Safe Streets

## A P P E A R A N C E S (CONTINUED)

Dr. Dennis Farrell

Ed Hayes

Dr. John Lowe

Richard Feldman

Eric Rothman  
NY CLASS

Erich Arcement  
Senior Vice President  
Sam Schwartz Engineering

Jill Weitz

Linda Marcus

Conor McHugh  
Clinton Park Stables

Ian McKeever  
Horse & Carriage Association of New York

Colm McKeever

Eva Hughes  
Secretary and Spokeswoman  
New York Horse and Carriage Association

Natalie Reeves  
New York City Bar Association, Committee on Legal  
Issues Pertaining to Animals

John Phillips  
Executive Director  
New York League of Humane Voters

Jannette Patterson  
People for the Ethical Treatment of Animals

## A P P E A R A N C E S (CONTINUED)

Edita Birnkrant  
New York Director  
Friends of Animals

Patrick Kwan  
New York State Director  
Humane Society of the United States

Charleen Feeney

Peter Wilson  
Horse & Carriage Association

Jesus Rojas

Walker Blankinship  
President  
Kensington Stables

Jessica Dasch  
Kensington Stables

Sasha Herman

Michelle Herman

Johnny Torres  
Danny Cunningham  
Prospect Park Community Committee

Gareth Smith

Cherryl Mitchell  
Southeast Vice President  
New York State Horse Council

Giuseppe Cirnigliaro

Pat Mullaney

Elizabeth Tobier

## A P P E A R A N C E S (CONTINUED)

Ardele Murphy

Elizabeth Forel  
President  
Coalition to Ban Horse-Drawn Carriages

Chad Marlow  
Chateau Stables

Shawn Fay

Giovanni Paliotta

Stephen Hand

Teresa Russo

Jacqueline Hoffner

Dina Kalra

Dena Allen  
Coalition to Ban Horse-Drawn Carriages

John Sangiorgio  
Veterinary Medical Association of New York City

Delia Levy-Bianchino

Anne Fox

Hermilo Marquez  
Horse and Carriage Association

Roxanne Delgado

Michelle Kaskel

Mark Adam

Jenny Chou  
Coalition to Ban Horse-Drawn Carriages

## A P P E A R A N C E S (CONTINUED)

Samsam Yung  
Kensington Stables

Elena Ouchakova  
Kensington Stables

Barbara Dasch  
Kensington Stables

Barbara Stork  
Kensington Stables

Susan Davis

Carolyn Spigel

Tracy Everitt

G. Grassi

Johnny Torres  
Kensington Stables

Katia Katsnelson  
Kensington Stables

Joel Vincent

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2 CHAIRPERSON KOSLOWITZ: This  
3 meeting is officially open, Consumer Affairs.  
4 Good morning, my name is Karen Koslowitz and I  
5 Chair the Committee on Consumer Affairs.

6 Today we'll be holding our first  
7 hearing on four bills relating to the horse-drawn  
8 carriage industry. Intro 35, which would increase  
9 the rates license horse carriage drivers are  
10 permitted to charge and impose tighter regulations  
11 on the industry; Intro 85, which would replace  
12 horse-drawn cabs with alternative fuel-powered  
13 classic cars; Intro 92, which would ban drawn  
14 horse-drawn cabs altogether; and Intro 93, which  
15 would restrict horse-drawn cabs to Central Park  
16 and the area immediately surrounding it.

17 The Council first enacted a  
18 regulatory and licensing scheme for horse-drawn  
19 carriages in 1989. The laws governing horse-drawn  
20 carriages were last amended in 1994 when  
21 restrictions on the hours and location of  
22 operation were loosened and penalties for abusing  
23 horses were increased. It has been 16 years since  
24 the regulations governing the horse-drawn carriage  
25 industry have been updated or changed, and I am

1  
2 sure that many in this room would agree that it is  
3 time we give it another look.

4 Today we're going to hear from a  
5 variety of groups regarding these four bills, from  
6 the Administration to the horse carriage industry  
7 to the animal rights advocates. I am aware of  
8 just how sensitive a topic this issue is for  
9 everyone in the room and I am also aware that many  
10 in this room do not see eye to eye on this issue.  
11 If we are going to have a meaningful conversation,  
12 however, it is important that each side treat the  
13 other in a respectful manner. Interrupting  
14 testimony and other inappropriate behavior during  
15 this hearing will not be tolerated. I look  
16 forward to hearing everyone's testimony, and I  
17 hope that everyone will behave in a manner that  
18 will not compromise the integrity of their  
19 message.

20 With that, I'll turn the microphone  
21 over to the bills' prime sponsors if they would  
22 like to say a few words. Council Member Jim  
23 Gennaro.

24 COUNCIL MEMBER GENNARO: Thank you,  
25 thank you, Madam Chair, thank you for holding this

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2 hearing today. I particularly want to thank the  
3 Council staff that worked on these bills, Lacy  
4 Clarke, Damien Butvick, thank you for all of your  
5 good work.

6 Yes, I'm the prime sponsor of Intro  
7 35. I've been trying to advance a bill like this  
8 for a couple of years and hopefully this will be  
9 the year when we can make that happen.

10 And, Chairwoman Koslowitz, I think  
11 you're right to say that this is a conversation,  
12 and the conversation that I guess I had with  
13 myself leading to the development of Intro 35 and  
14 to its precursor was that there's a couple of  
15 options open to the Council. So option number one  
16 would be to do nothing, to just leave the industry  
17 the way it is, leave the rates the way they are,  
18 and as you said, Madam Chairwoman, I don't think  
19 that that's an appealing option, doesn't do  
20 anything for the industry, doesn't do thing for  
21 the horses, and so I disregarded that option and I  
22 think the Council should too.

23 The second option certainly would  
24 be some kind of ban or some sort of phase out, and  
25 I don't think that's a realistic option. First of

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all, because, even though I don't speak for the leadership of the Council or the members of this body or for the Chairperson or for Mayor Bloomberg, I just don't think there's support for that option within the ranks of city government, so I don't see it as realistic. And the reason I think that city government doesn't see that as realistic is because they don't see anything to really justify that in terms of the operation of the industry and it's just not justified based on the record. So I just don't think that's real.

So that leaves us with, I guess, a third option which would be to work with the industry, work with concerned folks, and reform the industry and set a rate that will allow the industry to do what everybody wants them to do for the horses, and so that's what Intro 35 is all about. There's a bunch of things, I'm not going to go through the whole bill, but a couple of key points: it would reduce the hours of operation of the carriage rides, it would increase the size of the stable stalls, it would double the minimum of veterinarian checkups from once to twice a year, it would mandate that carriage horses receive a

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2 five-week vacation--I'd like to get one too, but  
3 we'll see about that--it sets the age of carriage  
4 horses, they have to be a minimum age in order to  
5 be in the business and have to be retired as of a  
6 certain age, it limits the geographical area that  
7 the carriages can operate, it requires that water  
8 be made available to horses at all times, requires  
9 that every carriage have working brakes and  
10 additional reflectors, and it requires that  
11 blankets in winter be used to cover the horse from  
12 the neck to the rump, it would hike the rates for  
13 the first time in 20 years.

14           And where do we get these or where  
15 did I get these recommendations from. People may  
16 recall that former Comptroller Thompson did an  
17 audit of the horse carriage industry, he made  
18 recommendations, many of those are in Intro 35.  
19 There's a Rental Horse Business Board, they had  
20 some recommendations, they're in the bill; Council  
21 staff worked with the ASPCA, they had  
22 recommendations, those are in the bill.

23           And so for me the purpose of this  
24 hearing is to find out from folks whether or not  
25 the reforms that are included in Intro 35 and the

1  
2 rate schedule that is set out is good, and so this  
3 is a starting point. And I'm very grateful for  
4 the opportunity to have this hearing today and  
5 look forward to hearing from the Administration  
6 and from the industry and from many advocates that  
7 are here today and hopefully we can bring this to  
8 a good and happy conclusion.

9 Thank you once again, Madam  
10 Chairperson, for giving me the time to speak  
11 today, thank you.

12 CHAIRPERSON KOSLOWITZ: Thank you,  
13 Council Member Gennaro. I just want to make one  
14 correction, Intro 85 is actually Intro 86 is the  
15 right number. With that, I want to call on the  
16 Department of Health and Mental Hygiene, Dan Kass,  
17 Acting Deputy Commissioner.

18 DANIEL KASS: Hi, thank you. Good  
19 morning, Chairperson Koslowitz and Members of the  
20 Committee on Consumer Affairs. My name is Daniel  
21 Kass, I'm the Acting Deputy Commissioner for  
22 Environmental Health at the New York City  
23 Department of Health and Mental Hygiene. On  
24 behalf of Commissioner Farley I would like to  
25 thank you for the opportunity to testify on Intros

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2 35, 86, 92, and 93. And I'm joined to my right by  
3 Michael Schnall, who's the Director of Government  
4 Relations for the Department of Parks and  
5 Recreation.

6 The Health Department's Office of  
7 Veterinary and Public Health Services, part of the  
8 Division of Environmental Health, promotes and  
9 protects the health and quality of life for New  
10 York City residents and visitors in part by  
11 controlling animal-borne diseases and by  
12 regulating the care and use of animals. As part  
13 of this work, the program monitors the use of  
14 carriage horses and other rental horses used for  
15 hire for safe and humane operations. The Office  
16 also conducts pre-permit inspections of animal  
17 holding facilities and we may inspect these  
18 facilities following complaints.

19 The department has authority to  
20 license rental horses and regulate the activities  
21 of the carriage horse industry to promote both the  
22 well-being of horses and the safety of the public.  
23 We work closely with the Department of Consumer  
24 Affairs, which is responsible for licensing the  
25 carriage horse driver and the carriage itself.

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2 Currently, there are 202 licensed carriage horses,  
3 68 licensed carriages, 19 licensed commercial  
4 stables and 284 licensed drivers.

5 Pursuant to the law enacted  
6 previously by a previous City Council, the  
7 department convened a Rental Horse Licensing and  
8 Protection Board, charged by Chapter 3 of Title 17  
9 of the Administrative Code with making  
10 recommendations to the Commissioner of Health for  
11 improved regulation to protect the health and  
12 well-being of horses and of the city. The Board  
13 issued a final set of recommendations in the  
14 summer of 2009, a copy of which was forwarded to  
15 the City Council. Based in large part on these  
16 recommendations, last fall, the department  
17 proposed amendments to Article 161 of the New York  
18 City Health Code and to Chapter 4 of the  
19 Commissioners Rules.

20 When the department learned that  
21 the Council was proposing an amendment to the  
22 Administrative Code to address similar concerns,  
23 as well as other matters, and after careful  
24 consideration of the fact that many of the Rental  
25 Horse Board's recommendations target the rules of

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2 other agencies, the Health Department withdrew  
3 from consideration both proposals, with one  
4 exception: Next week we will ask the Board of  
5 Health to mandate that rental horses be immunized  
6 against rabies.

7           This Committee may hear testimony  
8 today referring to other sections of the proposed  
9 Board of Health regulations, but we want to be  
10 clear that they're now withdrawn and that they  
11 will not conflict with the legislation being  
12 discussed today or as part of the amendments to  
13 these bills as they go forward.

14           So with respect to Intro 92, the  
15 department believes that the carriage horse  
16 industry can be regulated in such a way to protect  
17 the health of the horses used to pull the  
18 carriages and the safety of those who patronize  
19 them. Intro 92 seeks to make it unlawful to offer  
20 rides to the public on a vehicle drawn or pulled  
21 by a carriage horse. It's the city's position  
22 that strengthening the current regulatory  
23 environment is preferred to an outright ban, and  
24 therefore we oppose Intro 92.

25           The city also opposes Intro 86, a

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2 bill that would replace horse-drawn carriages with  
3 alternative fuel-powered classic cars, and opposes  
4 Intro 93, a bill that would place area and time  
5 restrictions on the operation of horse-drawn cabs.

6 In contrast, we look forward to  
7 working with the Council to pass Intro 35, which  
8 would build on existing local laws and regulations  
9 for horse-drawn carriages and rental horses, and  
10 includes many of the recommendations of the Rental  
11 Horse Licensing and Protection Advisory Board.

12 The Department would like to  
13 highlight two specific concerns about this bill.  
14 The first is that the bill would require that  
15 horses not be left, and we quote, untethered or  
16 unattended except when confined in a stable or  
17 other enclosure. For the safety of the public,  
18 the Department of Health recommends that all  
19 horses be kept in hand by their rider or carriage  
20 operator when they are outside of their stable.

21 Secondly, on the issue of mandating  
22 a uniform size for stalls for horses, we would  
23 recommend that the City Council consider allowing  
24 more flexibility. During the public hearing held  
25 last month concerning the proposed amendments to

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2 Article 161 that proposed a mandatory uniform  
3 stall size, we heard conflicting opinions and  
4 statements of fact from those who testified  
5 suggesting that horse size, the type of activity a  
6 horse is used for during the day, and other  
7 factors are appropriate to factor into stall size  
8 and type. So we recommend that stall type and  
9 size regulations be made only for carriage horses,  
10 because these animals are larger than most rental  
11 horses, and we recommend not extending them to all  
12 rental horses.

13 We'll be pleased to work with the  
14 Council to address these concerns, and thanks  
15 again for the opportunity to testify. I'm happy  
16 to answer questions.

17 CHAIRPERSON KOSLOWITZ: Thank you.  
18 I have some questions, but I would like to  
19 introduce my fellow colleagues. We have Council  
20 Member Leroy Comrie, who also chaired this  
21 Committee and I'm trying to follow in his  
22 footsteps, and Council Member Charles Barron.

23 [Off mic]

24 CHAIRPERSON KOSLOWITZ: What role  
25 does the ASPCA play in enforcement of the horse

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2 carriage rules and regulations?

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DANIEL KASS: My understanding is that the ASPCA has independent authority to inspect stables, to respond to complaints. Their mission is to protect the welfare of the animals and to ensure a humane operation.

CHAIRPERSON KOSLOWITZ: Okay. And how much, if at all, does the city fund the ASPCA?

DANIEL KASS: We don't fund the ASPCA.

CHAIRPERSON KOSLOWITZ: For none of this.

DANIEL KASS: That's right.

CHAIRPERSON KOSLOWITZ: Okay. How often do you conduct inspections of the horses, carriages, and/or stables?

DANIEL KASS: We inspect at least annually and we respond to complaints and we've begun to do field inspections about four times a year to observe operations.

CHAIRPERSON KOSLOWITZ: And how do you issue citations for violations?

DANIEL KASS: Where we find violations, we'll issue notices of violations to

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2 the permitted entity, and those are adjudicated by  
3 our tribunal at the Department of Health.

4 CHAIRPERSON KOSLOWITZ: Okay. And  
5 what are the most common violations?

6 DANIEL KASS: The most frequent we  
7 see relate to the conditions of the stables.  
8 They're relatively rare, we don't find significant  
9 violations on the vast majority of our  
10 inspections. On occasion, we've found, I believe,  
11 electrical hazards, waste and pest problems, and  
12 record-keeping issues.

13 CHAIRPERSON KOSLOWITZ: Okay. Do  
14 you get complaints with the horses crossing  
15 Central Park?

16 DANIEL KASS: They don't come to  
17 us, no.

18 CHAIRPERSON KOSLOWITZ: They don't  
19 come to you at all.

20 DANIEL KASS: No.

21 CHAIRPERSON KOSLOWITZ: Oh, has  
22 either DCA or DOHMH revoked any licenses over the  
23 past five years?

24 DANIEL KASS: There's been an  
25 action recently involving the revocation of

1  
2 licenses having to do with an issue that the  
3 Department of Consumer Affairs brought to our  
4 attention, I can defer to them if they want to  
5 speak to it.

6 [Pause]

7 ANDREW EILER: Andrew Eiler for  
8 Consumer Affairs. I think there's one license  
9 revocation that's occurred for carriages, not  
10 horses.

11 CHAIRPERSON KOSLOWITZ: For  
12 carriages, not horses, and what was the violation?

13 ANDREW EILER: I don't offhand  
14 recall what the issue was, but there was one  
15 action where the licensee had to give up the  
16 carriages and that's--

17 [Crosstalk]

18 CHAIRPERSON KOSLOWITZ:  
19 [Interposing] In the last five years?

20 ANDREW EILER: Yes.

21 CHAIRPERSON KOSLOWITZ: Okay.

22 DANIEL KASS: And, just to clarify,  
23 I've been told by our staff that we revoked the  
24 licenses for the horses associated with that  
25 operation.

2 CHAIRPERSON KOSLOWITZ: Okay.

3 Thank you. How much revenue is generated through  
4 the horse carriage industry to New York City?

5 DANIEL KASS: I think we'll have to  
6 get back to you on that, I think it's very small.

7 CHAIRPERSON KOSLOWITZ: Very small?

8 DANIEL KASS: With respect to the  
9 Department of Health's own activity, but we'll  
10 have to get back to you, I don't have those  
11 numbers.

12 CHAIRPERSON KOSLOWITZ: Okay. All  
13 right, I am done. Any of my colleagues?

14 MALE VOICE: Sure.

15 CHAIRPERSON KOSLOWITZ: All right,  
16 Council Member Comrie.

17 [Pause]

18 MALE VOICE: I thinks she's asking  
19 [off mic] questions?

20 [Off mic]

21 COUNCIL MEMBER COMRIE: I'm sorry,  
22 how often does the ASPCA do the--or what is their  
23 role in inspections or in this process at all?

24 DANIEL KASS: The ASPCA is charged  
25 with licensing or inspecting pursuant to licenses

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2 or permits. They respond and they have an  
3 affirmative role that they determine themselves  
4 for inspecting operations in stables to ensure  
5 humane treatment of animals. But they're not part  
6 of the licensing and permitting scheme for this  
7 industry.

8 COUNCIL MEMBER COMRIE: And they do  
9 the inspections in conjunction with the stables or  
10 do they do surprise inspections?

11 DANIEL KASS: I don't want to speak  
12 for the ASPCA, I don't know how they manage their-  
13 -or how they announce.

14 COUNCIL MEMBER COMRIE: Okay. And  
15 once you do--when you do your inspections, do you  
16 do them with the knowledge and previous knowledge  
17 of the stables or do you do snap inspections?

18 DANIEL KASS: We don't announce our  
19 intention to come, we just we show up.

20 COUNCIL MEMBER COMRIE: And you  
21 mentioned, an item about the size of the stall is  
22 one of your concerns, are you saying that when  
23 you're talking about flexibility, are you talking  
24 about flexibility for--are you expecting each  
25 horse to stay in a particular stall permanently?

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2 So like a stall would be assigned to horse A and a  
3 stall would be assigned to horse B, so that stall  
4 could be flexible according to whatever the size  
5 of the actual horse is?

6 DANIEL KASS: Well I think we want  
7 to defer to other testimony about what the best  
8 scheme is. The point that we are trying to make  
9 though is that stall size, both in terms of size  
10 and in terms of type as this bill proposes, would  
11 be uniform, and that scheme may make the most  
12 sense for carriage horses which tend to be larger,  
13 stabled at the same place, managed and operated by  
14 the same person or the same entity. For riding  
15 horses, however, we heard a lot of testimony at  
16 our own hearings for the proposals that have now  
17 been withdrawn that this one-size-fits-all, this  
18 one-type-fits-all doesn't work, horses vary  
19 dramatically in size, they vary with respect to  
20 the kind of activity that they're involved in, and  
21 we would recommend that, to the extent that  
22 Council wants to legislate stall size and type,  
23 that it be confined to the carriage horse  
24 industry.

25 COUNCIL MEMBER COMRIE: But the

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carriage horse needs more room, is that what  
you're saying?

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DANIEL KASS: Yes.

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COUNCIL MEMBER COMRIE: Okay. And  
I just wanted to say for the record that I want to  
add my name to Intro 35. As a former Chair of the  
Committee, following the great work of the former  
and present Chair, I had an opportunity to go to  
the stables to see the horses, to talk to members  
of the industry. I'm understanding that they are  
trying to do their best to treat the animals in a  
humane and proper way, they're willing to take  
whatever steps to have a better safety record, a  
better record of humane treatment, but we are not  
in a time in our city where we can afford to lose  
something that actually makes our city unique and  
makes our city special. We can't afford to lose  
jobs--no clapping, I'm not doing this for  
applause, I'm doing this 'cause I want to keep  
income and revenue in the city, I'm doing this  
because I want to make sure that New York is still  
a primary destination place and a place where  
tourists want to come to, and having the horse  
carriage industry is part of what makes people

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1  
2 come to New York, it's part of what makes New York  
3 one of the top tourism places in the world, and we  
4 really can't afford to lose that when we're  
5 leaking money all over the place. We can't afford  
6 to lose any reason to diminish opportunities for  
7 people to come and visit, people to come and have  
8 their experiences, and people come to experience  
9 what's special about New York City and the horse  
10 carriage industry is part of what's special about  
11 New York City.

12 I'm happy that we are putting this  
13 bill out today. If there are any problems with  
14 it, is there anything else that--if there is  
15 anything else we need to do to make sure that the  
16 industry is behaving properly--I haven't had a  
17 vacation in a year and a half so five weeks of  
18 vacation would be wonderful. But there are other  
19 things that we can constantly do to make the  
20 industry better, but it's an industry we need to  
21 keep, so I would like to add my name to the bill.  
22 Thank you, Madam Chair.

23 CHAIRPERSON KOSLOWITZ: Council  
24 Member Gennaro.

25 COUNCIL MEMBER GENNARO: Thank you,

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2 Madam Chair. Commissioner, thank you. So we  
3 heard about another action of some kind of  
4 suspension, revocation of a license that was  
5 related to a consumer manner that did not relate  
6 to any kind of treatment of the animal, I just  
7 want to make sure that that's the case, right,  
8 Andy? So that's the item that you spoke of,  
9 please speak to the mic. The item that you spoke  
10 of was some kind of consumer manner that related  
11 to the operation of the business and not to the  
12 treatment of the animal, is that fair to say?

13 ANDREW EILER: That's correct, it--

14 COUNCIL MEMBER GENNARO: Okay.

15 ANDREW EILER: --had nothing to do  
16 with the treatment of the animals.

17 COUNCIL MEMBER GENNARO: Okay.

18 Thank you. So, Commissioner, with regard to the  
19 way your agency and the ASPCA would work, if the  
20 ASPCA identified an individual driver or an owner  
21 of a medallion or a stable as a persistent bad  
22 actor and they wanted to take action with regard  
23 to the licensing of the horse or the person that  
24 holds the medallion, they would have to come to  
25 you to indicate that they have identified someone

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who shouldn't be in this business and sort of ask you to take away their license or not to renew it because that agency, the ASPCA doesn't have the ability to do that themselves, so they would have to come to you with that request, is that right?

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DANIEL KASS: Yes, we take

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complaints from the public, we take complaints

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from the ASPCA, and following a complaint we would

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do a full investigation of the circumstances--

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COUNCIL MEMBER GENNARO: Right.

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DANIEL KASS: --were we to verify

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mistreatment, inappropriate operation--

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COUNCIL MEMBER GENNARO: Right.

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DANIEL KASS: --we would then move

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to--

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COUNCIL MEMBER GENNARO: Okay.

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DANIEL KASS: --do the appropriate

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thing and--

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[Crosstalk]

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COUNCIL MEMBER GENNARO:

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[Interposing] Let's talk about the record, let's

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talk about the--has the ASPCA come to you, and

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they would have to you, 'cause there's no one else

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that they can go to--I'll let you have your little

1 sidebar for a second if you need to, that's quite  
2 all right. Has the ASPCA come to you or to the  
3 Department of Health to indicate that there was  
4 either a driver or an owner or a whole stable that  
5 should not continue in this business, has that  
6 happened recently, has that ever happened?  
7

8 DANIEL KASS: My staff doesn't  
9 recall receiving that kind of complaint from the  
10 ASPCA.

11 COUNCIL MEMBER GENNARO: Right, and  
12 the ASPCA would have to come to you, there was no  
13 one else that they could go to, to speak to the  
14 licensor so they would have to come to you.

15 DANIEL KASS: They could lodge a  
16 complaint with us--

17 COUNCIL MEMBER GENNARO: Right.

18 DANIEL KASS: --we would be the  
19 inspector, they can lodge a complaint with DCA,  
20 with the Department of Consumer Affairs or--

21 [Crosstalk]

22 COUNCIL MEMBER GENNARO: But with  
23 regard to animal-related issues--

24 DANIEL KASS: [Interposing] Yes, it  
25 would be us.

1

2

COUNCIL MEMBER GENNARO: --they

3

would have to come to you.

4

DANIEL KASS: That's right.

5

COUNCIL MEMBER GENNARO: And

6

there's no recollection--

7

DANIEL KASS: That's right.

8

COUNCIL MEMBER GENNARO: --by your

9

staff of that ever happening.

10

DANIEL KASS: Not in recent memory,

11

no.

12

COUNCIL MEMBER GENNARO: Okay. If

13

they issue some kind of citation for animal

14

cruelty, which I understand is a misdemeanor

15

that's prosecutable in like a state court or

16

whatever, would your agency be made aware of any

17

action that the ASPCA took with regard to formally

18

charging an operator with animal cruelty and that

19

going to the state courts for some kind of

20

prosecution, would you be made aware of that?

21

DANIEL KASS: We would, yeah.

22

COUNCIL MEMBER GENNARO: Okay. Has

23

that ever happened?

24

DANIEL KASS: Not to my knowledge.

25

COUNCIL MEMBER GENNARO: Okay.

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2 Thank you very much.

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CHAIRPERSON KOSLOWITZ: We've also been joined by Council Member Brad Lander and he would like to ask a question.

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COUNCIL MEMBER LANDER: Thanks very much, Madam Chair. And Commissioner, it's nice to see you. Thank you, I'm not a member of this Committee, but I'm happy to be here today because I represent the neighborhood of Kensington which has Kensington Stables, riding stables, a rental horse riding stables, obviously quite different from the carriage stables that we're talking about. And at the DOHMH hearing I was joined by about 50 of my neighbors, many of whom young people who learn, meet horses, take care of horses, ride horses, and there's been horseback riding in Prospect Park for more than a century and we're very eager to make sure that there can continue to be riding and from, everything that I've seen--and I work with a lot of the neighbors of that site--it does a great job of both taking care of the animals, of introducing the animals to kids, to neighbors, there's a riding program with folks who are blind or have disabilities. It

1  
2 nurtures a connection between people and animals,  
3 which is exactly what we want and that I'm eager  
4 to preserve.

5           The situation of that stables is  
6 obviously quite different from the carriage  
7 stables. I really appreciate in your testimony  
8 the recommendation for flexibility for different  
9 types of activities and different types of horses.  
10 Some of that might be around stall size, as I saw  
11 you recommended. I wonder if you might also have  
12 anything to say about the role of what they call  
13 turn out, of allowing the animals time to walk  
14 around and recreate. Kensington Stables is right  
15 by Prospect Park so the animals do some riding in  
16 the park, and then they actually have an area  
17 where they're able to walk around a bit and they  
18 work to try to get the animals out there as often  
19 as they can. And I'm curious whether that's  
20 another thing you think might help make sure that  
21 the horses have a good set of living conditions as  
22 part of the flexibility for looking at different  
23 types of activities and horses.

24           DANIEL KASS: Well, like you, we  
25 heard at our own hearings, again, around proposals

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that are now withdrawn from consideration, we heard a lot of conflicting information about what the proper way to do turn out was, whether a furlough out of the city made the most sense. To be frank, we don't sort of know what the perfect solution is and whether there should be one perfect solution for all horses. We heard from the Horse Carriage Advisory Board recommendations to ensure that there is adequate time off effectively, but we're open to different ideas about how best that would be effected.

COUNCIL MEMBER LANDER: All right, did that board look at the situation of rental riding horses and some of the ways in which what they're doing is different and how we might make sure that they have the environment that they need?

DANIEL KASS: My recollection of their recommendation was that they did not sort of differentiate the recommendation for a five week furlough for carriage horses as opposed to rental horses, they didn't make that distinction. I'm sorry to say I wasn't at the meetings at that time, so I can't tell you what the nuance of the

1

2 discussion was.

3

4 COUNCIL MEMBER LANDER: All right,  
5 and I'm certainly not an expert at this, I really  
6 want to appreciate what the staff has done to try  
7 to help me learn about it, but it makes sense to  
8 me that a horse that is not pulling a carriage,  
9 that's mostly doing riding, and whose relationship  
10 is to a park where they get to walk around and  
11 then spend some time on the grass would be  
12 different in terms of what their needs would be  
13 than the carriage horses. So I mean, without  
14 asking your expert opinion, did that make sense to  
15 you as well?

16

17 DANIEL KASS: Well, again, I think  
18 the recommendations we heard from experts was that  
19 all rental horses, all riding horses, all work  
20 horses require and deserve some degree of  
21 furlough, and I think that's right.

22

23 COUNCIL MEMBER LANDER: Okay. And  
24 I guess on stall sizes, I mean, I'm just trying to  
25 understand the relationship between stall size,  
something like furlough, and turn out, the  
opportunity on a more daily or weekly basis to be  
out without doing work, and, again, you can only

1  
2 extrapolate so much from one's own experience of  
3 needing to balance those things, but do you sense  
4 that there's some role for turn out, for that  
5 daily opportunity or weekly opportunity to be  
6 essentially recreating in the mix with stall size,  
7 as well as with furlough defined--when you say  
8 that you think there's a role for flexibility  
9 here, do you think some mix, you know, being able  
10 to meet a standard that provides an appropriate  
11 mix of those things might be one way to help  
12 address the range of issues that we're trying to  
13 cover?

14 DANIEL KASS: Again, I think our  
15 opinion at this point is that from what we've  
16 heard that flexibility in general makes sense. I  
17 think we heard a variety of people speak to just  
18 how different horses are from one another, not  
19 just by virtue or appearance or size, but also in  
20 terms of personality. That said, I think we  
21 abided by the recommendations of the industry,  
22 that turn out alone was not a substitute for a  
23 break basically. And so, while I think we're open  
24 as a department to flexibility in the way you want  
25 to craft the recommendations, we think that

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2

there's some place for both turn out and for  
furlough.

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COUNCIL MEMBER LANDER: Thank you.

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CHAIRPERSON KOSLOWITZ: We've been  
joined by Council Member Elizabeth Crowley. And  
I'd like to call on Council Member Barron.

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COUNCIL MEMBER BARRON: Thank you  
very much, Madam Chair. This bill here, this  
issue here for me has been a very difficult one,  
very, very difficult because, while I am  
supporting Intro 35 and leaning toward not  
supporting the others--and I say leaning up,  
'cause I'm still open.

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Some of the arguments I hear is  
kind of disturbing. On the one hand, the most  
compelling argument for me is what's happening and  
what will and will not happen to human beings if  
they don't have jobs, so that one makes me super  
sensitive to the industry. But on the other hand,  
like New York will be fine without the horse buggy  
industry, we will go on. That argument is weak,  
that argument to me is not compelling enough, that  
tourists won't come or so much money can be made--  
no.

1  
2           The thing that is compelling for me  
3 is the jobs and that human beings during this  
4 economic crises will be extremely hurt, but it's  
5 been very difficult for me because things like--  
6 and people are inconsistent too, even those who  
7 are against the industry, but they may go to  
8 Aqueduct and watch the horseracing, or they'll  
9 watch boxing to see human beings beat each other's  
10 brains out, or some of them will eat that meat,  
11 and have some fish in a bowl, some--not everybody--  
12 -have fish in a bowl at home, or have a dog on a  
13 leash somewhere. And I'm certain there's some  
14 people that are strict vegetarians, don't have  
15 dogs, don't have fish at home and are consistent,  
16 but there's a lot of inconsistency when it comes  
17 to that area.

18           So this one has been very, very  
19 difficult for me 'cause I normally lean more  
20 toward the rights of living things to live and  
21 that others shouldn't have to, for whatever  
22 recreation or even employment purposes, should  
23 take the life of another form of life or even for  
24 recreation. So it's a very difficult one for me,  
25 it's been very, very challenging and the

1  
2 compelling thing for me has been that we're in a  
3 serious economic crises and that people really  
4 need to have employment and what would happen if  
5 they didn't have this industry for employment. So  
6 I say leaning 'cause I'm still open for that, but  
7 I want to ask, has there been any incidents where  
8 horses that actually died?

9 [Pause]

10 DANIEL KASS: There have.

11 COUNCIL MEMBER BARRON: And could  
12 you elaborate instead of just they have, I mean--

13 DANIEL KASS: We get reports of  
14 horses that have died. There were two in 2007,  
15 three in 2008, two in 2009, and none so far in  
16 2010.

17 COUNCIL MEMBER BARRON: See that's  
18 very disturbing to have an industry where that  
19 could happen, that's very bothersome to me.

20 DANIEL KASS: But I want to be  
21 clear that these numbers don't reflect deaths from  
22 abuse or maltreatment, they reflect--sorry.

23 FEMALE VOICE: [Off mic] age [off  
24 mic].

25 DANIEL KASS: Yeah, they're

1

2 reportable to us under the--

3 COUNCIL MEMBER BARRON: They're

4 what?

5 DANIEL KASS: Deaths of horses are  
6 reportable to us under the New York City Health  
7 Code, but that includes deaths from age or from  
8 illness and from all causes, and these were deaths  
9 that were due largely to age and illness.

10 COUNCIL MEMBER BARRON: Well come  
11 on now, if you're riding my back or if you got  
12 something in my mouth, I think I would age a  
13 little quicker and so it's not like it's unrelated  
14 to the industry that the horse just so happened to  
15 age out on us, you know, come on now. There has  
16 to be some connection, and if we are serious about  
17 protecting the horses in this industry then we  
18 can't make--we can't get on the defensive and  
19 defend the indefensible--

20 DANIEL KASS: But--

21 COUNCIL MEMBER BARRON: --to sit  
22 here--I'll be finished in a second.

23 DANIEL KASS: Please.

24 COUNCIL MEMBER BARRON: --to sit  
25 here and make it seem like the industry had

1  
2 nothing to do with the horse dying is just not  
3 honest. So, I mean, if we really want to have  
4 some kind of balance where we can really make it  
5 safe, then we can't sit here and act like the  
6 industry had nothing to do with the death of these  
7 horses, and we should do all that we can to  
8 correct whatever that has happened that is causing  
9 these deaths so that, indeed, if it is an  
10 employment situation, then at least the horses--in  
11 a rather cruel industry, I must say, so I have to  
12 admit, honesty compels me to say that it is cruel,  
13 but I'm just prioritizing human beings and jobs  
14 over that. So what is being put in place so that  
15 these kinds of deaths of horses don't occur?

16 DANIEL KASS: Well, I can--

17 COUNCIL MEMBER BARRON:

18 [Interposing] [Off mic] might say and it'd be hard  
19 for you to answer that seriously 'cause you don't  
20 even think the industry had anything to do with  
21 the horse dying, that's what you really feel?

22 DANIEL KASS: Well I can get back  
23 to you on what we know about the specific causes  
24 of deaths of these horses and the age at which  
25 they occurred, but I can tell you that none of

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2 them was associated with reported mistreatment or  
3 inhumane conditions.

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COUNCIL MEMBER BARRON: Well how  
are you defining mistreatment? Some might define  
mistreatment as putting the whatever the rein in  
their mouth and whipping them, making them do the  
job that you're asking them to do, some might  
consider that mistreatment. So how are you  
defining mistreatment?

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DANIEL KASS: We define it based on  
cruelty and that--

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COUNCIL MEMBER BARRON: Cruelty or--  
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DANIEL KASS: --and I understand  
what you're saying about--

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[Crosstalk]

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COUNCIL MEMBER BARRON:  
[Interposing] Yeah, because see cruelty,  
mistreatment, nice terms, but they mean something  
and they mean different things to different  
people, and I just think that really needs to be  
looked into far more seriously, because it's a  
real dilemma for me and that's why I'm leaning  
this way, but I'm really, really serious about us

1  
2 really protecting the safety if we're going to do  
3 something that I think is really exploitive of  
4 horses, and I really believe that, then we should  
5 honestly try to do something to at least alleviate  
6 that. [Pause] I want a response.

7 DANIEL KASS: The Health Department  
8 conducts education and training prior to the  
9 issuance of licenses to horse carriage drivers, we  
10 inspect proactively and in response to complaints  
11 stables, we are observing field operations, and  
12 it's through that regulatory activity that we  
13 think is largely adequate, we're not observing  
14 significant problems in the industry, and we think  
15 that the regulatory framework, obviously can be  
16 strengthened, we think Intro 35 goes a long way  
17 toward doing that. But we think that the industry  
18 has largely been behaving very well.

19 COUNCIL MEMBER BARRON: And you  
20 will look into the deaths of those horses and I'd  
21 like to have a report on that to see just what  
22 happened--

23 DANIEL KASS: Sure.

24 COUNCIL MEMBER BARRON: --and how  
25 those things can be avoided. Thank you.

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CHAIRPERSON KOSLOWITZ: Council

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Member Gennaro.

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COUNCIL MEMBER GENNARO: Thank you,

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Madam Chair. I thank Council Member Barron for

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bringing up this point because it was a point that

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was certainly not lost on me when we were

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formulating Intro 35. So with regard to what we

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can do to minimize or stop any deaths of carriage

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horses, we set the maximum age [pause], we set the

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maximum age of horses that can do this kind of

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work, they have to be retired by the time they're

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20, that is not the case now, so horses once they

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reach 20 have to be retired, they can't come into

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the business until they're 5-years-old. In order

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to make sure that we're checking up on their

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health, Intro 35 would require that they get

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checkups from the vet twice a year rather than

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once a year, we're limiting the hours, we're

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limiting the range, and we're giving them five

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weeks off, we think this can help the horses to

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regenerate, and we have blankets in the winter.

23

So we've taken measures that we believe will cut

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down or stop these tragic deaths. And this is a

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work in progress, so if anybody has other ideas to

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2 put on the table, we should look at those as well.  
3 But I want to thank Council Member Barron for  
4 bringing up that point and give me an opportunity  
5 to talk about what we're doing to fix it. Thank  
6 you.

7 CHAIRPERSON KOSLOWITZ: Thank you.  
8 We've been joined by Council Member Nelson,  
9 Council Member Mark-Viverito, and Council Member  
10 Ferreras. And at this time, I'd like to call on  
11 Council Member Mark-Viverito on Intro number 86.

12 COUNCIL MEMBER MARK-VIVERITO:  
13 Thank you, Chair Koslowitz, and I'm sorry I'm  
14 late, I was actually in the Bronx at a community  
15 advisory board for Lincoln Hospital, so that I got  
16 here a little later than I expected. But I really  
17 want to thank you as Chair and the Consumer  
18 Affairs Committee members and staff for holding  
19 this hearing today, which I know has been  
20 anticipated and expected by many for some time.

21 One of the pieces of legislation  
22 that is being addressed in today's hearing is  
23 Intro 86, a bill I introduced earlier this month.  
24 The number of bills that we're discussing today  
25 and that have been introduced on this issue of the

1  
2 horse carriage industry really speaks to the  
3 complexity of this issue, but I hope the hearing  
4 will be the starting point of a productive  
5 dialogue as we seek to arrive at the best  
6 legislation possible on this matter.

7 I feel very strongly that it is  
8 time to bring an end to horse carriages in the  
9 city of New York. The carriages raise very  
10 serious concerns for the safety of carriage  
11 drivers, their riders, pedestrians, and motorists.  
12 Of course, there are also equally serious concerns  
13 with respect to the way the horses are treated.

14 At the same time, I believe that  
15 phasing out the carriages opens up an opportunity  
16 to launch a whole new industry in our city through  
17 the green vintage show cars proposed in my  
18 legislation. In the current economic climate, we  
19 must continue to strive to promote innovative new  
20 industries that will further our shared goals of  
21 expanding revenue to our city while also fostering  
22 the increased use of green technology. I believe  
23 the green show cars will do just that. The cars'  
24 ability to accept credit cards will allow for more  
25 regulation by the city than the current cash only

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2 nature of the horse carriage industry allows. The  
3 mobility of the cars will also permit drivers to  
4 take passengers to more distant locations,  
5 creating the potential for higher fares,  
6 benefiting both drivers and the city. Besides the  
7 higher fares, Intro 86 would also provide for  
8 increased job quality for drivers. For example,  
9 the drivers would no longer need to brave weather  
10 conditions in the same way as they currently do on  
11 horse carriages.

12                   And I want to thank you very much.  
13 And I want to be very clear about one thing,  
14 'cause I know that there has been a lot of  
15 discussions going on, nobody in this room or in  
16 this city can question my union credentials, can  
17 question the fact that I support the union  
18 industry and the labor movement, I come from the  
19 labor movement, and so to me it's very convenient  
20 that now one of the labor unions is involved in  
21 this struggle. And when we're talking about  
22 creating a new industry, we can talk about  
23 creating a new industry, the jobs that it allows  
24 for, and to talk about unionizing those workers.  
25 So I don't see being at odds here at all, I see

1  
2 this as actually being beneficial, and I really  
3 look forward to engaging in the conversation to  
4 look at alternative ways. And, again, I really  
5 would hope that we as a city can grow and look  
6 seriously at phasing out this industry. Thank  
7 you.

8 CHAIRPERSON KOSLOWITZ: Thank you.  
9 I have one more question that I would like to ask.  
10 The Ad Code requires the Commissioner review the  
11 character and fitness of horse-drawn cab driver  
12 license applicants. What does this entail?

13 FEMALE VOICE: That's DCA,  
14 Commissioner.

15 ANDREW EILER: Well the primary  
16 thing is that the driver has to have  
17 qualifications that he's able to drive, that was  
18 established by the Health Department. So the  
19 Health Department gives a course and primarily in  
20 the normal requirements for the background, the  
21 inquiry into that we've had any indication that  
22 the person is unfit personality to be active in  
23 taking passengers around. So I mean, basically,  
24 there's an inquiry into the background of the  
25 individual.

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CHAIRPERSON KOSLOWITZ: But he has  
to be able to drive.

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ANDREW EILER: [Interposing] The  
driving is basically done by training by the  
Department of Health in terms of managing and  
using horses, so they have to have a card  
confirming that they passed the course.

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10

CHAIRPERSON KOSLOWITZ: There's no  
question about their background with animals.

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ANDREW EILER: Well that would be  
the basis for looking at that, that they have  
proper knowledge in how to handle animals, that is  
what that certification shows, that they have been  
trained to be able to properly handle horses.

16

17

CHAIRPERSON KOSLOWITZ: Okay.

Thank you very much I want to thank all of you--

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FEMALE VOICE: Wait, wait, wait--

19

CHAIRPERSON KOSLOWITZ: Oh wait.

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FEMALE VOICE: --she has a

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question.

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[Crosstalk]

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CHAIRPERSON KOSLOWITZ: Okay. Go

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ahead.

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COUNCIL MEMBER MARK-VIVERITO:

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2 Sorry. Thank you, Madam Chair, I distant want to  
3 disrupt the flow of the questions of others, but  
4 since I did come in late, I did have a couple of  
5 questions with regards to in terms of following  
6 the existing regulations and the--I guess how  
7 labor-intensive it may be in terms of staffing,  
8 having to monitor the horses, the conditions, all  
9 the regulations that exist. I know that in the  
10 briefing paper there was a reference to an audit  
11 that had been done by Comptroller's office a few  
12 years ago that kind of said that overall  
13 regulations were being followed, but that there  
14 needed to be a little bit more attention to  
15 certain areas. So obviously the different  
16 agencies that oversee this are probably a little  
17 taxed, but if this were to be phased out this  
18 industry and we were looking at having it be what  
19 was proposed in my legislation, where would the  
20 oversight fall and what responsibilities would  
21 that take off you as an agency in terms of the  
22 burden and how labor-intensive it is to be  
23 monitoring it, and whether there will be a savings  
24 in that for the agency?

25 [Off mic]

1  
2 DANIEL KASS: To be honest, we  
3 haven't evaluated the specific issues. I don't  
4 believe the Health Department would have a stake  
5 in an automobile-based industry.

6 COUNCIL MEMBER MARK-VIVERITO:  
7 Right, so then basically it would be a savings to  
8 you, probably in terms of not having to have  
9 staff, have a monitor go out, visit, find out the  
10 conditions of the stalls, of the animals--

11 DANIEL KASS: [Interposing] Well  
12 this--

13 COUNCIL MEMBER MARK-VIVERITO: --  
14 having people keep up with that.

15 DANIEL KASS: --the carriage horse  
16 industry isn't the only regulatory activity we  
17 have with respect to horses, we also inspect  
18 riding stables as well.

19 COUNCIL MEMBER MARK-VIVERITO: Do  
20 you also by chance to monitor the NYPD horses?

21 DANIEL KASS: I'm sorry, by--

22 COUNCIL MEMBER MARK-VIVERITO: The  
23 NYPD, equestrian, I mean--

24 DANIEL KASS: No,

25 COUNCIL MEMBER MARK-VIVERITO: You

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2 don't?

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DANIEL KASS: No.

4

COUNCIL MEMBER MARK-VIVERITO:

5

Okay. That's probably they have their own vets

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on--

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DANIEL KASS: Yeah.

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COUNCIL MEMBER MARK-VIVERITO: --

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staff for that. Okay. 'Cause I think that

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there's an aspect there as well since those

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responsibilities would not fall on you as an

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agency and what that might entail on that end of

13

phasing it out.

14

Now, with regards to the

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regulations that exist currently for--and if this

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was asked before, I apologize, I came in late--how

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regulated is this industry with regards to the

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transactions, the money, the revenue that's

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raised? [Pause] I'm sorry, and--

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ANDREW EILER: I'm Andrew Eiler,

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Consumer Affairs Department. I mean as far as the

22

regulation is concerned, the Council sets the fees

23

that they're entitled to collect.

24

COUNCIL MEMBER MARK-VIVERITO: No,

25

the fees but in terms of the generation of

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revenue, how is that reported, what is the expectation to that and do you monitor that?

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ANDREW EILER: Oh, you mean how much money does the carriage industry bring for New York City?

5

6

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COUNCIL MEMBER MARK-VIVERITO:

8

Yeah.

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10

ANDREW EILER: We don't do anything about that.

11

12

COUNCIL MEMBER MARK-VIVERITO: So there's no way of finding out exactly whether or not--it is a cash only industry?

13

14

ANDREW EILER: Probably most of it is cash, but I mean, the department does not check into the revenues of the industry as far as how much income they have on their--

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17

18

[Crosstalk]

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COUNCIL MEMBER MARK-VIVERITO:

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[Interposing] So what benefit comes to the city of New York if you were to have a more regulated industry where you are able to determine what in fact is the revenue generated from an industry?

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24

Is that more beneficial or less beneficial to the city of New York with regards to revenue

25

1

2 generation?

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ANDREW EILER: Well--

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5 you're able to monitor how much in actuality is  
6 produced by an industry.

7

8 something that we're looking at, therefore, I  
9 can't comment in terms of the overall how much  
10 revenue would be generated. It would--

11

COUNCIL MEMBER MARK-VIVERITO:

12

13 [Interposing] Do you believe that a cash only  
14 industry [off mic] a more regulated industry is  
15 more or less beneficial to the city of New York  
when it comes to generating revenue?

16

ANDREW EILER: Well in terms--

17

COUNCIL MEMBER MARK-VIVERITO:

18

19 [Interposing] Would a cash only industry allow for  
underreporting of revenue by an individual?

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ANDREW EILER: The--

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COUNCIL MEMBER MARK-VIVERITO:

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[Interposing] Sir, I don't think that's a--

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ANDREW EILER: --I'm sorry--

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COUNCIL MEMBER MARK-VIVERITO: --

25

hard question.

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2           ANDREW EILER: --we have not looked  
3 at this question, I don't know, we're dealing with  
4 hypotheticals in terms of what it would be,  
5 whether or not, how the income is reported--

6           COUNCIL MEMBER MARK-VIVERITO:  
7 [Interposing] No, no, no, I'm asking in terms of  
8 an industry, if you have an industry that is cash  
9 only and the individual that is reporting that  
10 income, it's better for us to be able to get a  
11 more accurate assessment of what somebody earns if  
12 there is a way of tracking what is earned--

13           ANDREW EILER: Okay.

14           COUNCIL MEMBER MARK-VIVERITO: --as  
15 opposed to just--I mean, I don't really think it's  
16 a hard question.

17           ANDREW EILER: Taking a  
18 hypothetical question, if the transactions of an  
19 industry are fully reported and documented on some  
20 kind of automatically accessible database versus  
21 an industry where that kind of automatic  
22 documentation doesn't exist, the answer is self-  
23 evident that it would be better or more easily  
24 tracked for the one that's tracked and data is  
25 automatically kept than one that isn't.

1

2

COUNCIL MEMBER MARK-VIVERITO:

3

Okay. And I think that that's an important aspect

4

of what I'm also indicating here with regards to

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my legislation with regards to the opportunity of

6

generating additional revenue for the city of New

7

York, that you're able to have an industry that is

8

more tracked, that will ensure that there is

9

greater, more accuracy in reporting, and that

10

you're basically phasing out an industry. I think

11

that it's a more beneficial aspect to where we lie

12

as a city. And I understand that there are

13

nostalgic aspects of the horse carriage industry

14

that people like latch onto, but I think other

15

cities have demonstrated that they've been able to

16

phase this out and have been able to really

17

supplant it with a new industry and it has not

18

been detrimental to the tourism industry, and I

19

don't really think that that's the only reason

20

people come to New York, to ride on a horse

21

carriage.

22

But I really want to focus because

23

I think that that's something that is very

24

important, especially when we're talking about

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this economic climate that we start expanding

1  
2 industries, that we start looking at new  
3 technologies, that we start looking at generating  
4 additional revenue and income for the city of New  
5 York, and I think that that's an element here that  
6 is being overlooked. So I wanted to verify that,  
7 I think you've indicated that that is more  
8 beneficial an industry that we can keep track of,  
9 and I think that a cash only industry, which is  
10 currently the way this carriage industry is set  
11 up, leads for a lot of underreporting, a lot of  
12 concerns, and we probably lose out a lot in the  
13 city of New York when it comes to revenue. So I  
14 would hope that that's something that you would  
15 look at. I mean, I would think that that's  
16 something, whether it's you or another pertinent  
17 agency to look at that. So I think those are my  
18 questions for now, I appreciate it. Thank you.

19 CHAIRPERSON KOSLOWITZ: Okay.

20 Thank you. We've also been joined by Council  
21 Member Ignizio. And at this time, I'd like to  
22 call on Council Member Crowley.

23 COUNCIL MEMBER CROWLEY: Thank you,  
24 Madam Chairperson. I have a question as it  
25 relates to the number of licenses, how has that

1

2 changed over the years, has it expanded, have you  
3 decreased the number of licenses?

4

[Pause]

5

6 DANIEL KASS: My staff is telling  
7 me that the number of licenses for carriage horses  
8 has remained relatively stable, number of licenses  
9 for riding horses has dropped.

10

11 COUNCIL MEMBER CROWLEY: Now the  
12 industry has a route, right? It can only use  
13 certain blocks to get to and from the stable or to  
14 travel around, I imagine Central Park is the focal  
15 point of the industry?

16

17 DANIEL KASS: That's my  
18 understanding, yeah.

19

20 MIKE SCHNALL: Yeah, Mike Schnall  
21 from Parks, yes, that's correct.

22

23 COUNCIL MEMBER CROWLEY: Now, if  
24 one wanted to decrease the number of horse-drawn  
25 carriages in the Central Park area, but increase  
or allow for the opportunity in other parks, such  
as Prospect Park or Flushing Meadow Park, how  
would we go about doing that? Whose agency would  
allow for that, and has the industry ever thought  
of something like that?

1

[Pause]

2

3

ANDREW EILER: I mean, there's

4

nothing in the statute that talks about the

5

distribution of where the horses can operate

6

except for the fact I don't believe they can cross

7

bridges and tunnels. So where the carriages

8

operate is primarily determined where the

9

appropriate stables are for keeping both the

10

carriages and horses, that essentially is the

11

condition that makes it possible for where they

12

can go, I mean, what parts of the city they can

13

operate in.

14

COUNCIL MEMBER CROWLEY: So if a

15

driver would like to operate in Flushing Meadow

16

Park, let's say when the US open is here, and

17

there are other attractions in Flushing Meadow

18

Park where a driver could bring tourists from the

19

stadium over to the Queens Art Museum or Queens

20

Theatre in the Park, how would the driver get the

21

ability to do that? They would just need a

22

stable?

23

ANDREW EILER: Well there's got to

24

be--in order for the carriage business to work,

25

there's got to be a place where they keep the

1  
2 carriage, keep the horse, and then be able to go  
3 from there to where they're going to operate the  
4 horse, I mean, where the customers would be and  
5 those other conditions. And as it happens, the  
6 primary tourism or the primary customer base is in  
7 the city, is in Manhattan and so obviously they're  
8 going to operate in the areas where their main  
9 customer base is, which is--and that's also where  
10 the facilities are going to locate. So that kind  
11 of works together.

12 COUNCIL MEMBER CROWLEY: So the  
13 horse-drawn carriages aren't mainly in and around  
14 Central Park, are they going to other tourist  
15 attractions?

16 ANDREW EILER: Well, I mean, there  
17 are restrictions in terms of when and how they can  
18 operate within city streets, and basically how  
19 those operators that essentially they'll be  
20 operating around Central Park given where the  
21 facilities are and where the customer base is.

22 COUNCIL MEMBER CROWLEY: What city  
23 agency would be able to study or see if it would  
24 be amenable to allow for the drivers to, let's  
25 say, go to Flushing Meadow Park at the end of the

1  
2 summer or certain points of the year? It could be  
3 lucrative, it could be a way of expanding business  
4 or decreasing the amount of horse-drawn carriages  
5 in Manhattan, but allowing it to thrive in other  
6 areas of the city, mainly and centrally focused  
7 around parks.

8                   ANDREW EILER: Just offhand, it  
9 would be a multifaceted thing that you'd have to  
10 study from an industry business, traffic, all  
11 sorts of aspects of it. We haven't gone down that  
12 road, it's a hypothetical issue we haven't  
13 addressed, so I'm not in a position to really  
14 comment on it.

15                   COUNCIL MEMBER CROWLEY: In my  
16 district, I have Forest Park and it's over 300  
17 acres, we have the Ridgewood Reservoir in one part  
18 of the park all the way down to the carousel over  
19 in Woodhaven Boulevard, about 2 miles that's  
20 separated and I would imagine that there could be  
21 opportunity for horse-drawn carriages in that park  
22 as well.

23                   ANDREW EILER: Possibly, you might  
24 want to address that question to the industry  
25 because they're the ones who are primarily going

1

2 to be doing it and it's up to them.

3

COUNCIL MEMBER CROWLEY: Thank you.

4

CHAIRPERSON KOSLOWITZ: Thank you.

5

And now, again, thank you very much.

6

DANIEL KASS: Thank you.

7

FEMALE VOICE: Want to do two

8

minutes?

9

CHAIRPERSON KOSLOWITZ: Okay.

10

FEMALE VOICE: Right?

11

CHAIRPERSON KOSLOWITZ: Okay. We

12

have a lot of people that want to testify, we're

13

going to call you four at a time, and each one has

14

two minutes. And I want to remind you again this

15

is Respect for All Week and we want to carry it to

16

these chambers, so please let people speak; if you

17

don't agree with them, keep it to yourselves,

18

you'll be given the opportunity to express your

19

views and your feelings. So with that, I would

20

like to call on Demos Demopoulos--if I pronounce

21

your names wrong, I'm sorry--Sonia Ivany, and

22

Father Brian Jordan.

23

FEMALE VOICE: And here's another

24

one.

25

CHAIRPERSON KOSLOWITZ: And Stephen

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2 Malone.

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5

SERGEANT-AT-ARMS: [Off mic] Step up to the table, please, we'll take your testimony here.

6

[Long pause]

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CHAIRPERSON KOSLOWITZ: You may start. Please state your name.

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DEMOS DEMOPOULOS: Thank you. Good morning, Madam Chairperson Koslowitz and Council Members of Consumer Affairs Committee, I am Demos Demopoulos, Executive Officer and Secretary Treasurer of Teamsters Local 553, one of the oldest Teamster Locals in New York. I am also Secretary Treasurer of Teamsters Joint Council 16, which represents 125,000 Teamsters in New York City, and affiliated with the International Brotherhood of Teamsters, 1.4 million strong.

I testify to you today on behalf of my brother and sister members that work in the horse carriage trade and strongly encourage this Committee and the New York City Council to support Intro 35. This is a Local Law that implements stricter safety regulations for the horse-drawn carriage industry, improvements for the welfare of

1  
2 the horses, and allows for a long overdue fare  
3 increase they have not had in over 20 years.

4 Their average operating costs for  
5 keeping their horses and running the popular  
6 tourist industry have gone up an average of 400 %,  
7 and of course the same applies to the cost of  
8 providing for their families at home.

9 The Teamster Carriage Drivers, on  
10 their own, have amended Intro 35 for even stronger  
11 protections for their horses and even includes  
12 suggestions from the ASPCA.

13 SERGEANT-AT-ARMS: Keep it down,  
14 please.

15 DEMOS DEMOPOULOS: The Teamsters  
16 strongly oppose Intro 86, Intro 92, and Intro 93  
17 as a means to destroy an entire industry and a way  
18 of life for Teamster families, this cannot and  
19 will not happen.

20 The horse-drawn carriage industry  
21 is an iconic image for New York. People from all  
22 around the world visit New York City and enjoy a  
23 traditional carriage ride through Central Park.  
24 In addition, many people get engaged in a carriage  
25 ride or celebrate an anniversary, holidays, and

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many other special occasions and milestones.

I am proud to represent these individuals, their families, and their horses. This country, this city, this historic City Hall, was built from materials delivered by horse and wagon. They were delivered by Teamsters of yesterday. The carriage drivers are a Teamster legacy, and are Teamsters of today. The Teamsters urge you to vote yes on Intro 35 and protect union jobs, families and horses. Thank you.

CHAIRPERSON KOSLOWITZ: Next.

[Pause]

FATHER BRIAN JORDAN: Good morning. I am Father Brian Jordan, a Roman Catholic priest and a Franciscan friar. St. Francis of Assisi is not only the patron saint of ecology, but also the patron saint of animals, therefore, it is the Franciscans who were the first animal rights group, continue to advocate for animals. Proof of my claim is that I have visited every horse stable in Manhattan and blessed all the horses you see every day in Central Park. I have found each stable to be well-kept, which includes the immaculate care of the horses and the sound

1  
2 environment where they receive tender loving from  
3 both the horse carriage drivers and from the  
4 stable hands alike. Heck, I even bless the hay  
5 they eat. How many here who oppose the fare  
6 increase and the right of horses to work in  
7 Central Park have visited the stables and  
8 inspected the horses like I have? I have been  
9 properly informed of what goes on in the stables  
10 by being there. I do not understand the  
11 opposition's rationale who have not seen what I  
12 have seen.

13                   Why am I, a representative of the  
14 first animal rights groups, here in the City Hall  
15 hearing? I have come here to make a stand for  
16 workers rights, women and men here today. This is  
17 a workers right issue and not just an animal  
18 rights issue.

19                   In this struggling economy, how  
20 could you deny a fare increase for these hard-  
21 working men and women? They have not received a  
22 fare increase in 23 years--23 years. How many  
23 other professions in this city have been denied a  
24 fare increase in 23 years? My research indicates  
25 no other profession. Therefore, in a city that

1  
2 provides itself and prides itself on justice and  
3 fairness, I strongly and respectfully request that  
4 the City Council approve a fare increase of bill  
5 number 35 for the horse carriage drivers of  
6 Teamsters Local 553. President Obama stresses  
7 jobs, jobs, jobs, and so should the City Council.  
8 Thank you, God bless you, and bless the union  
9 horse carriage industry.

10                   STEPHEN MALONE: Good morning,  
11 Chairwoman Koslowitz and Members of the Committee  
12 on Consumer Affairs. My name is Stephen Malone  
13 and I am the Executive Director, Treasurer,  
14 Advisory Board Representative, and proud member of  
15 Teamsters Local 553. I am proud to say that I am  
16 a second generation carriage driver and owner of  
17 two licensed carriages and five beautiful licensed  
18 draft horses. My dad, a blacksmith by trade, shod  
19 most of the carriage horses in New York City  
20 between 1960s and the 1990s and managed to buy his  
21 first carriage in 1967. I have been a licensed  
22 carriage driver for myself for the past 23 years.  
23 I take great pride in my job, I take great pride  
24 in my industry, and most of all, I take great  
25 pride in my father's legacy.

1  
2 I am here today to respectfully  
3 urge the Committee to approve Intro 35 to provide  
4 a long overdue and completely reasonable fare  
5 increase for my industry.

6 Over the past three years I have  
7 been working as an elected member of the Horse  
8 Rental Advisory Board for the city of New York.  
9 It was the board's objective to make  
10 recommendations to the Health Commissioner to  
11 promote the healthy, safety, and well-being of all  
12 rental horses within the city of New York. Upon  
13 completion of our first meeting we collectively  
14 agreed to tackle all issues concerning the  
15 carriage horses and then return to the riding  
16 industry at a later date. In the years to come  
17 after that, we would meet every couple of months  
18 and visit all stables and hack-stands. In this  
19 time, we either met with or had many contacts with  
20 the different agencies, such as DOT, DOH, DCA,  
21 DEP, Parks Department, and NYPD. Through much  
22 hard work and determination we came up with a list  
23 of very strong suggestions to be implemented upon  
24 review by the Commissioner. In Intro 35, you will  
25 find many of these recommendations--stall size,

1  
2 age specifications, apprentice program for new  
3 drivers, and additional health examinations, five  
4 weeks furloughs for carriages. Our industry has  
5 been very proactive when dealing with this  
6 advisory board, even though it has been  
7 compromised by the ASPCA.

8 CHAIRPERSON KOSLOWITZ: Okay. I'm  
9 going to have to ask you to sum up--

10 STEPHEN MALONE: I'm just closing.

11 CHAIRPERSON KOSLOWITZ: --please.

12 STEPHEN MALONE: I'd like to say  
13 it's been an excellent step toward working closely  
14 in the future with the city.

15 SONIA IVANY: Okay. Good morning,  
16 Chairwoman Koslowitz and Members of the New York  
17 City Council. My name is Sonia Ivany and I am the  
18 President of the New York Chapter of the Labor  
19 Council for Latin American Advancement, also known  
20 as LCLAA. I'm here today to lend our support to  
21 all the workers and the Latin American workers  
22 whose livelihoods are the very subject of this  
23 hearing.

24 New York is home to millions of men  
25 and women who come from across oceans and time

1  
2 zones to seek a better life. To do so, they  
3 venture off into the unknown, leaving behind their  
4 families, homes, cities, and careers. New York's  
5 horse carriage industry is home to many such  
6 workers, almost one-fifth of the workers are  
7 Latinos. There is something very special about  
8 this industry, a ride in one of these carriage  
9 harkens back to a time when New York was built by  
10 horse and wagon. Yet for some of us this industry  
11 not only transcends time but continents as well.  
12 As it is true for many of the drivers from  
13 Ireland, Italy, and Turkey, Latin American drivers  
14 are drawn to this career, not only for the money,  
15 but also out of a love and knowledge of horses.  
16 They are able to work side-by-side with other New  
17 Yorkers who share a common love of horses, they're  
18 able to work with dignity thanks to their skills.

19 We realize that there is a lot of  
20 great opposition to this industry, particularly  
21 from those who live in and around Central Park. I  
22 myself am comfortable testifying on behalf of  
23 these workers and further comforted by the huge  
24 increase in regulations outlined in Introduction  
25 35. At the same time, I know that these workers

1  
2 have looked to the City Council for a rate  
3 increase for 21 years to no avail. Surely anyone  
4 with concern for the welfare of the horses would  
5 want to ensure that their caretakers were able to  
6 keep up with the cost of food, lodging, and vet  
7 visits for their animals.

8 For these reasons, I am in full  
9 support of this industry and of Intro 35. As  
10 George Miranda--

11 CHAIRPERSON KOSLOWITZ:

12 [Interposing] I'm going to have to ask you to  
13 please sum up, we have so many people that want to  
14 testify--

15 SONIA IVANY: Absolutely.

16 CHAIRPERSON KOSLOWITZ: --that  
17 we're--

18 SONIA IVANY: Thank you.

19 CHAIRPERSON KOSLOWITZ: --limiting  
20 it to two minutes.

21 SONIA IVANY: As George Miranda,  
22 President of the Teamsters and Executive Leader of  
23 our Executive Board of LCLAA could tell you, the  
24 purpose of LCLAA stating in our declaration of  
25 principle is the pursuit of achieving social

1  
2 dignity, economic and political justice, and a  
3 decent standard of living for workers. Thank you  
4 for your time.

5 CHAIRPERSON KOSLOWITZ: Thank you.  
6 I want to recognize Council Member Reyna who has  
7 joined us, and at this time I'd like to call on  
8 Council Member Gennaro.

9 COUNCIL MEMBER GENNARO: Thank you,  
10 Madam Chair, I just have a brief question, this  
11 could either be to Mr. Malone or Mr. Demopoulos.  
12 The jobs that you talk about, I'm just wondering  
13 if you can give me a sense of how many people make  
14 their livelihood in this business and the types of  
15 jobs. Everybody sees the drivers, everyone knows  
16 that there's people working in the stables, but  
17 what are the types of jobs and how many people  
18 make their livelihood in this business?

19 STEPHEN MALONE: Well you have  
20 stable hands in every stable, you have farriers,  
21 you have truckers that provide--

22 COUNCIL MEMBER GENNARO:  
23 [Interposing] Farrier is someone that takes care--

24 STEPHEN MALONE: A blacksmith.

25 COUNCIL MEMBER GENNARO: --of the

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2 hooves, right?

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4

5

STEPHEN MALONE: Yes, yes. We have a cleanup crew on 59th Street, and there's about 200, more than almost 300 drivers.

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7

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COUNCIL MEMBER GENNARO: So the total number of people who make their livelihood in this business would be in the order of what?

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10

STEPHEN MALONE: I would say between maybe three and 350 people.

11

COUNCIL MEMBER GENNARO: Thank you.

12

13

CHAIRPERSON KOSLOWITZ: Council Member Mark-Viverito.

14

15

COUNCIL MEMBER MARK-VIVERITO: Good morning to the panel. So, Mr. Malone, is it?

16

STEPHEN MALONE: Yes.

17

18

19

20

COUNCIL MEMBER MARK-VIVERITO: Not Maloney, okay, Malone. You said that you're proud number of the Teamsters Local 553, how many years have you been a member?

21

STEPHEN MALONE: A year and a half.

22

23

24

25

COUNCIL MEMBER MARK-VIVERITO: Okay. And it's very interesting that the union comes here before us and you as an industry come here before us and want to claim that you're so

1  
2 supportive of the unions and of union membership  
3 and you've only recently become members, because I  
4 guess it's convenient for you to be members of a  
5 union and think that that's going to buy your way  
6 with most of us. So having said that, when you  
7 talk about all the individuals my colleague  
8 mentioned, 350 individuals, are all those  
9 individuals unionized? Is it all the people in  
10 the stalls or is it just the drivers?

11                   STEPHEN MALONE: You want to take  
12 that?

13                   [Pause]

14                   DEMOS DEMOPOULOS: If I may answer  
15 that because Steve doesn't know all the details of  
16 that, me being the head of the union. No, not all  
17 of them are, not all of them--

18                   [Crosstalk]

19                   COUNCIL MEMBER MARK-VIVERITO:  
20 [Interposing] So how many are actually union  
21 members, of the 350 he mentioned that are in the  
22 industry and--

23                   DEMOS DEMOPOULOS: Yeah--

24                   COUNCIL MEMBER MARK-VIVERITO: --  
25 making a livelihood, how many are in the union?

1  
2 DEMOS DEMOPOULOS: --yeah,  
3 presently, and if I may elaborate as to the  
4 reason, this isn't an association, they don't work  
5 for a single employer, they're all treated as  
6 individuals as drivers and it is voluntary  
7 membership in the union, there are no right to  
8 work laws that I can claim to force these people  
9 to join. It's through our good deeds that they  
10 have seen, that they have voluntarily joined the  
11 union. And presently about 130 of the over 200  
12 carriage drivers are in now and hopefully we'll  
13 gain even more membership from these people. But  
14 I just want to remind you, of course, we cannot  
15 discriminate against anybody for not joining the  
16 union--

17 COUNCIL MEMBER MARK-VIVERITO:

18 Understood.

19 DEMOS DEMOPOULOS: --that would be  
20 illegal and--

21 COUNCIL MEMBER MARK-VIVERITO:

22 Understood.

23 DEMOS DEMOPOULOS: --especially  
24 with your union background.

25 COUNCIL MEMBER MARK-VIVERITO:

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Understood, but with regards to the union industry or the labor movement, have there been attempts in the past to unionize the carriage industry? Has your union and attempted to unionize the carriage industry in the past and, if you have not, do you have any idea of any other union that has attempted to unionize the drivers and why did those attempts fail if you have not been successful in the past?

DEMOS DEMOPOULOS: Again, as you have union background, people seek union representation when they feel they're under attack and they have nowhere else to turn and for protection and for help, and I'm sure that they're seeing that they're getting that with us.

COUNCIL MEMBER MARK-VIVERITO:  
Okay. So then they felt a need for protection from the union.

DEMOS DEMOPOULOS: Doesn't anybody that joins a union?

COUNCIL MEMBER MARK-VIVERITO: Of course, but you're trying to--you know, I'm asking you a question, you're trying to turn it around on me, so now I'm turning it back on you. You're

1  
2 saying that people come to the union because they  
3 seek protection because of the work conditions.  
4 So if they sought for your protection, why would  
5 they seeking your protection for?

6 DEMOS DEMOPOULOS: They sought  
7 protection from the groups that were looking to  
8 ban them, under attack for many, many years, and  
9 unable to get a rate increase from the City  
10 Council which they've lobbied and worked hard for  
11 for many, many years 23 years, that's another  
12 reason why they chose to go with the Teamsters,  
13 and we're proud to have them and I'm confident and  
14 hope that we'll be able to achieve that for them.

15 COUNCIL MEMBER MARK-VIVERITO:  
16 Okay. I mean people want to make this seem like  
17 if we support any of the other--if you support my  
18 bill, we're not eliminating jobs, we're creating a  
19 whole industry, we're creating a whole new sector  
20 of jobs, it's a phase out and--

21 SERGEANT-AT-ARMS: Quiet, please.

22 COUNCIL MEMBER MARK-VIVERITO: --we  
23 would welcome--

24 DEMOS DEMOPOULOS: Yeah.

25 COUNCIL MEMBER MARK-VIVERITO: --

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2

okay, that industry welcome union representation.

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So I don't see where there is odds here, because

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obviously we would still be embracing--you know,

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and I say we because I would feel that I'm part of

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that--that we would be embracing union

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representation and--

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[Crosstalk]

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COUNCIL MEMBER MARK-VIVERITO: --it

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would expand beyond I think the number of

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individuals that are represented in the carriage

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industry today in terms of what the potential is

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of the new industry that's being proposed in my

14

legislation so--yes, sir?

15

STEPHEN MALONE: May I ask you a

16

question?

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COUNCIL MEMBER MARK-VIVERITO: Yes.

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STEPHEN MALONE: You said you're

19

creating a new industry, where does that industry

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exist today?

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COUNCIL MEMBER MARK-VIVERITO: I'm

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not going to answer the questions, you can seek

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the information and you will find that it is

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established in other--

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STEPHEN MALONE: [Interposing] It

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2 doesn't exist.

3

COUNCIL MEMBER MARK-VIVERITO: --

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cities as well. Yes, it is. So having said that,

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I really wanted to just shed light on it because,

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again, [off mic] my background and I do support

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worker rights and I do support unions in this

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city, and I believe very strongly in other sectors

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that that is under attack. But in this case, I

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think what we're proposing is a real balance that

11

would also embrace and grow the union membership

12

in the city of New York. So--

13

DEMOS DEMOPOULOS: [Interposing]

14

Well if I may make a comment to that, if you don't

15

mind? I'm sorry, but I beg to differ with you as

16

to your union feelings as far as this issue goes,

17

and I know where this proposal comes from for the

18

antique cars and this is a business driven by a

19

businessman, not by someone that cares about

20

people's lives. That's what my organization is

21

about, and that's why I'm here today--

22

[background noise]

23

DEMOS DEMOPOULOS: --all due

24

respect.

25

[Applause]

1  
2 CHAIRPERSON KOSLOWITZ: I'm going  
3 to repeat myself--

4 COUNCIL MEMBER MARK-VIVERITO: So--

5 CHAIRPERSON KOSLOWITZ: --again, we  
6 do not have time for this, we have to move along.  
7 So please hold your applause, you can applaud  
8 outside as you leave, but please hold your  
9 applause, we have to continue.

10 COUNCIL MEMBER MARK-VIVERITO: Just  
11 one last question, Mr. Maloney, how does your  
12 industry right now report to the city of New York  
13 the revenue that it generates? Who do you have to  
14 report it to and--

15 [Crosstalk]

16 COUNCIL MEMBER MARK-VIVERITO: --  
17 how do you report it?

18 STEPHEN MALONE: We pay IRS the  
19 same way everybody else does--

20 COUNCIL MEMBER MARK-VIVERITO:  
21 Okay.

22 STEPHEN MALONE: --the same way the  
23 hot dog guys do, the same way the bar owners do.

24 COUNCIL MEMBER MARK-VIVERITO: And  
25 how do you keep track if it's a cash only

1  
2 industry, how is it that you and the drivers keep  
3 track of all the trips and all of the--

4 [Crosstalk]

5 STEPHEN MALONE: [Interposing] Well  
6 I have enough expenses that shows what I'm making  
7 and where I'm living and then we all have  
8 mortgages and we all have property tax. I mean,  
9 you're trying to make us like this deviant  
10 underhanded--

11 COUNCIL MEMBER MARK-VIVERITO:

12 [Interposing] I'm not, I'm--

13 STEPHEN MALONE: --business--

14 COUNCIL MEMBER MARK-VIVERITO: --

15 asking a question.

16 STEPHEN MALONE: --and you're  
17 saying that New York wouldn't lose anything, well  
18 we're a piece of the fabric, okay, we may not be  
19 the big picture, but we're a part of the picture  
20 and antique cars as you're proposing--and I  
21 respect your opinion on that--doesn't exist, it  
22 doesn't exist and it won't exist. And we  
23 challenge you, bring it, and we will beat you, the  
24 same way we beat pedicabs, the same way the  
25 trolley failed, the same way everything else

1

2 failed.

3

4

COUNCIL MEMBER MARK-VIVERITO: Well  
that's what this--

5

6

STEPHEN MALONE: [Interposing]  
Instead of--

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8

COUNCIL MEMBER MARK-VIVERITO: --  
purpose of this hearing--

9

10

STEPHEN MALONE: --phasing us out,  
bring it on.

11

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COUNCIL MEMBER MARK-VIVERITO:  
That's what the purpose of this hearing is about  
is to engage in the discussion and the debate and  
that's what will come forth--

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16

17

STEPHEN MALONE: Sure.  
COUNCIL MEMBER MARK-VIVERITO: --  
are the facts.

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STEPHEN MALONE: Sure.  
COUNCIL MEMBER MARK-VIVERITO: So  
having said that, I think that what I raised with  
the Department of Consumer Affairs, there's also  
concerns that there is a lack of more serious  
regulation of this industry and that in terms of  
the revenue the city of New York is of concern to  
me and it should be a concern to many of us. So

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2 having said that, I will leave it there, thank  
3 you.

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[Pause]

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FATHER BRIAN JORDAN: If I make one response, you had mentioned the idea of it's convenience from them to join, if you look at labor history, it's not convenient, response to needs of people who have been exploited, vulnerable in this matter. So they didn't join [off mic] convenient, they joined because they're attacked and vulnerable and I'm proud that they joined the union, plus the fact the horses are working too.

CHAIRPERSON KOSLOWITZ: We've been joined by Council Member [off mic]. Is this on?

FEMALE VOICE: Yeah.

[Off mic]

[Pause]

CHAIRPERSON KOSLOWITZ: I have a few questions that I would like to ask. How often are your horses, carriages inspected?

STEPHEN MALONE: Well we're overseen currently by the Department of Health, DCA, and the ASPCA. Okay, the ASPCA spend,

1  
2 unofficially, they'll tell you approximately about  
3 200 days a year on the hack-stands inspecting  
4 every carriage that goes through the park at that  
5 time. Department of Health I think testified they  
6 do four stable inspections per year.

7 CHAIRPERSON KOSLOWITZ: Okay. And  
8 how many days a year do the horses work?

9 STEPHEN MALONE: Well it all  
10 varies, right now we're doing about five to six  
11 days a week currently.

12 CHAIRPERSON KOSLOWITZ: That the  
13 horses--

14 STEPHEN MALONE: Per horse, yes.

15 CHAIRPERSON KOSLOWITZ: --that the  
16 horses work.

17 STEPHEN MALONE: Yes.

18 CHAIRPERSON KOSLOWITZ: And when  
19 they leave the stables, where do they go?

20 STEPHEN MALONE: Well there's a  
21 member of our industry that owns a farm in  
22 Monticello, he takes quite a few horses up there  
23 and does a rotation there. We have farms in New  
24 Jersey that we license out or we contract out  
25 space with, as well as Pennsylvania.

1  
2 CHAIRPERSON KOSLOWITZ: Okay. Are  
3 the horses tied up while they're waiting for  
4 passengers to take a carriage ride?

5 STEPHEN MALONE: Tied up meaning--

6 CHAIRPERSON KOSLOWITZ: Right.

7 STEPHEN MALONE: --I mean they're  
8 in harness obviously, they're not tied to  
9 anything, no.

10 CHAIRPERSON KOSLOWITZ: Okay. How  
11 do you treat the horses when it's extremely hot or  
12 extremely cold?

13 STEPHEN MALONE: Okay. Well we  
14 have provisions that we only operate between the  
15 temperatures of 18 and 90 degrees. We're putting  
16 in our bill to have a more winterized blanket, now  
17 we currently have blankets, I don't want to leave  
18 that misconception that we're not using blankets  
19 right now, but what we're calling for is a more  
20 weatherproof blanket to cover from the crest of  
21 the neck, right down to the bottom of the tail,  
22 which will make the horse more comfortable.

23 In the summer time we cease  
24 operation when it hits 90 degrees, the horses  
25 return from work, they're allowed to cool down in

1

2 their stall first, and then stablemen proceed to  
3 hose them down with water and things like that. A  
4 lot of the stables have misters on their fans,  
5 things like that.

6

CHAIRPERSON KOSLOWITZ: Okay. And  
7 how many rides a day would you say a horse and  
8 carriage give?

9

STEPHEN MALONE: Over the course of  
10 the year, the carriages are averaging about one  
11 ride per hour, and that's factoring in days when  
12 you're off, days when you're busy, so the horse is  
13 basically doing about 20 minutes work per hour and  
14 his downtime is 40 minutes.

15

CHAIRPERSON KOSLOWITZ: Okay. And  
16 one more question I have, what route do you take  
17 to bring the horses from the stable to the park?

18

STEPHEN MALONE: Well we don't have  
19 a specific route just because with the parameters  
20 of the city and construction sites and street  
21 closures and things like that. I would say the  
22 majority of the carriages head west on 59th  
23 Street, and then circle behind the Time Warner  
24 Center to 9th Avenue, proceed down 9th Avenue then  
25 usually to around 55th to 53rd Street, then head

1  
2 over to 11th Avenue, which is where most of the  
3 stables are located. My stable is currently on  
4 52nd Street, so we have the shortest run and it  
5 takes about 12, 13 minutes.

6 CHAIRPERSON KOSLOWITZ: Okay. All  
7 right, thank you.

8 STEPHEN MALONE: [Off mic].

9 CHAIRPERSON KOSLOWITZ: Council  
10 Member Crowley.

11 COUNCIL MEMBER CROWLEY: Thank you,  
12 Madam Chairperson. Just quickly, I have two  
13 questions. As it relates to New York City cabs,  
14 we're able to swipe, put a credit card through,  
15 are there any of the horse and carriages that have  
16 this option?

17 STEPHEN MALONE: Not right now.

18 COUNCIL MEMBER CROWLEY: And would  
19 your industry be opposed to installing these types  
20 of fixtures?

21 STEPHEN MALONE: We're not opposed  
22 to doing anything that's proactive.

23 COUNCIL MEMBER CROWLEY: And then  
24 my second question, is there a relationship that  
25 the driver has with the horse? You know, like

1

2 they want to be a horse and carriage driver,  
3 right?

4

STEPHEN MALONE: Absolutely, I  
5 mean, I discussed it in my testimony about my  
6 legacy with my dad. We come from a long line of  
7 horses, blacksmiths in both England and Ireland,  
8 as well as New York. The way that I do it, and I  
9 have two carriages and I have four guys that work  
10 for me, each driver gets assigned a horse. This  
11 way, there is a bond and there is a relationship  
12 between the horse and the driver.

13

COUNCIL MEMBER CROWLEY: Thank you.

14

[Pause]

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CHAIRPERSON KOSLOWITZ: Thank you  
very much.

17

DEMOS DEMOPOULOS: Thank you.

18

CHAIRPERSON KOSLOWITZ: Thank you.

19

SONIA IVANY: Thank you.

20

21

CHAIRPERSON KOSLOWITZ: Okay. I'd  
like to call the next panel, Laura Eldridge, Jane  
22 Hoffman, Melissa Norden, and Matthew Schwartz.

23

[Pause]

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FEMALE VOICE: Wait, there's only  
three people, wait.

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[Off mic]

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FEMALE VOICE: There's only three  
people, ask who's--

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[Long Pause]

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CHAIRPERSON KOSLOWITZ: Okay. You  
may begin.

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[Pause]

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10

LAURA ELDRIDGE: My name is Laura  
Eldridge, I'm the Executive Director of New  
Yorkers for Clean, Livable and Safe Streets, a  
non-profit focused on finding common-sense  
solutions to public safety and quality of life  
issues such as sanitation, traffic congestion, and  
road safety. Thank you for the opportunity to  
speak on this very important issue. I'm here to  
support Intro 86 and the plan to phase out the  
horse-drawn carriages and replace them with  
electric antique cars.

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New York CLASS supports Intro 86  
because it would allow the business owners and  
workers employed in the horse carriage industry  
the ability to partake in a whole new industry, as  
well as creating even greater revenue for both  
them and the city of New York. Currently, the

1  
2 horse carriage industry is primarily cash-based  
3 and, as a result, it provides minimal revenue to  
4 the city. Intro 86 would create a regulated  
5 electric car industry that could bring in an  
6 estimated \$31 million in taxable revenue. In  
7 addition, the jobs proposed in Intro 86 would be  
8 union jobs, paying up \$21/hour with full benefits  
9 and worker's compensation, which is something that  
10 the drivers currently lack.

11           As for the electric antique cars,  
12 they would make New York City a leader in eco-  
13 tourism and it would represent a further  
14 commitment to Mayor Bloomberg's PlaNYC, which  
15 calls for 30 % lower carbon emissions by 2030.  
16 The green vintage horseless carriages would meet  
17 all liability insurance requirements, along with  
18 auto standards for safety and crashworthiness.  
19 The horseless carriages would be able to keep up  
20 with traffic and thereby reduce congestion on  
21 Central Park South and Grand Army Plaza. Also,  
22 switching to the eco-friendly horseless carriage  
23 industry would free up around 150,000 square feet  
24 of prime real estate currently used for the  
25 stabling of horses, which would provide an

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estimated \$2 million in tax revenue.

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Finally, the tour offered by the horseless carriages would be one that is more fitting to a city like New York. The drivers would be licensed tour guides, with a speaker system that would allow them to face forward while communicating with their customers. The cars would accept credit cards, the new industry would be pre-booked online, cutting the amount of waiting time, and because of their ability to keep up with traffic, they could tour many other vibrant neighborhoods in the city, not just Central Park, and could work in all weather conditions, unlike horses.

16

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So New York CLASS supports the comprehensive plan proposed in Intro 86 because it reflects the innovation that has earned New York its world-class reputation.

20

CHAIRPERSON KOSLOWITZ: Continue.

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22

23

MELISSA NORDEN: Good morning, I am Melissa Norden, Chief of Staff at the American Society for the Prevention of Cruelty to Animals.

24

CHAIRPERSON KOSLOWITZ:

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[Interposing] I just want to remind you to keep to

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the two minutes. If you see that the clock is coming to two minutes, please sum up, thank you.

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MELISSA NORDEN: Okay. I am Chief of Staff at the ASPCA and I am here on behalf of the ASPCA and its 25,000 New York City supporters to urge you to support Intro 86, a Local Law to amend the Administrative Code of New York City, which would replace the carriage horses with alternative, fuel-powered classic cars.

When you think about horses, where do you imagine them? Nature has shown us they need space, room to move, and pasture in which to graze. New York City carriage horses live and work in conditions far removed from what nature intended and humanity dictates. The carriage horse is an anachronism, whose life of hard work is hidden beneath the facade of romance. Neither the New York City environment nor the current law can provide horses with the fundamentals to ensure their safety and well-being. Carriage horses were never meant to work and live in today's urban environment. They are allowed to work nine hours a day, seven days a week under conditions that do not meet their most basic needs. They can work in

1  
2 temperatures as high as 90 degrees and as low as  
3 19 degrees with no adjustments for wind chill or  
4 humidity. They do not have access to turn out  
5 areas, they are housed in stables that are  
6 antiquated, and do not provide adequate  
7 ventilation.

8           In the past, the ASPCA has  
9 supported a ban of the carriage horse industry, as  
10 well as an effort to restrict the horses to  
11 Central Park, but in light of historic political  
12 and administrative resistance to both proposals,  
13 our position has evolved into support of an  
14 alternative to the carriage horse industry  
15 altogether. This approach marries the humane  
16 arguments with economic, environmental, and  
17 quality of life interests. The new humane  
18 enterprise would preserve jobs and place New York  
19 City at the forefront of environmentally friendly  
20 tourism by providing rides for tourists and jobs  
21 to workers currently in the carriage horse  
22 industry, while maintaining the historic feel of  
23 the park tours.

24           We urge the City Council to push  
25 for the much-needed and past-due phase out of the

1  
2 carriage horses and the implementation of a safe,  
3 humane, environmentally friendly, and economically  
4 viable alternative. Thank you.

5 [Pause]

6 MATTHEW SCHWARTZ: Good morning, my  
7 name is Matthew Schwartz, I'm just a citizen here  
8 in New York representing myself.

9 I think that the issue of replacing  
10 horse-pulled carriages, particularly in the  
11 vicinity of Central Park South, with a program  
12 that relieves lives animals from carrying on this  
13 dreadful existence is not only an environmentally  
14 and ethically sensitive alternative, it's a no-  
15 brainer when it comes to providing for the  
16 concerns of human agendas as well.

17 The existing workers that operate  
18 the horse carriages can maintain employment in a  
19 new program proposed by the Council Member, it  
20 addresses public safety concerns vis-à-vis horses  
21 and vehicles colliding on the streets which we've  
22 all seen on the front pages of the Post and the  
23 news, and it will alleviate such horror when there  
24 are these accidents, these tragic accidents on the  
25 streets of New York. It removes horse waste and

1  
2 standing water vats from pedestrian paths, it's an  
3 altogether win-win scenario for horses and humans  
4 and I think it's long overdue.

5 Many cities far less progressive  
6 than New York City have seen the light of day on  
7 this issue and I think it's time that New York  
8 City catches up. Often great ideas don't have  
9 funding to back them up, but in this case the  
10 entire transition has not only been thought  
11 through and planned out from A to Z, but the money  
12 to implement it has been privately pledged. As  
13 such, I don't see any meritorious arguments that  
14 can be made to hold this up any longer. It's good  
15 for the city, it's good for the horses, it's good  
16 for workers, and I think it's high time to replace  
17 this cruel and antiquated tradition with a  
18 contemporary industry that all New Yorkers can be  
19 proud of. Thank you.

20 JANE HOFFMAN: Good morning, thank  
21 you for the opportunity to testify. My name is  
22 Jane Hoffman, I'm a Board Member of New Yorkers  
23 for Clean, Livable and Safe Streets and I'm an  
24 attorney. In these roles, I have spent a great  
25 deal of time working to craft policy that not only

1  
2 benefits animals but also the city of New York and  
3 the people who live here. I am here to testify in  
4 support of Intro 86, as I believe it represents  
5 exactly such a policy and an opportunity to move  
6 us all into the 21st century.

7           People have been talking about the  
8 problems of horse carriage industry for years:  
9 The snarled traffic, the animal waste in parks and  
10 streets, the accidents that have injured  
11 pedestrians and drivers, the lack of regulation to  
12 protect the horses. Never before have we  
13 discussed a solution that would address all of  
14 these concerns while also preserving an industry  
15 that has been an integral part of tourism in New  
16 York City.

17           The plan outlined in 86 has a clear  
18 benefit to the animals. Horses accustomed to dire  
19 working condition, cramped stables, and the noise  
20 and pollution of midtown traffic would be allowed  
21 to live out their remaining lives in sanctuaries.  
22 The strength of this plan, however, that it would  
23 also benefit the city of New York and the people  
24 who live here. For the city, one of the primary  
25 benefits would be a potential doubling of the

1  
2 current revenue generated by the horse carriage  
3 industry. For people who live in this city,  
4 especially those in and around Central Park, they  
5 would see an increase in their quality of life.  
6 Runners, walkers, cyclists would no longer have to  
7 dodge piles of manure on their daily outings or  
8 worry about accidents caused by spooked horses.  
9 In addition, the plan outlined in Intro 86 would  
10 greatly improve the traffic congestion currently  
11 caused by the horse-drawn carriages.

12 Intro 86 calls for a phasing out of  
13 the carriages and in their place, introducing eco-  
14 friendly vintage cars. The improved technology of  
15 these horseless carriages, their reduced size,  
16 greater maneuverability will make them better able  
17 to avoid other vehicles, better able to follow  
18 traffic laws, and less likely to slow traffic  
19 around them. They will also be equipped with  
20 modern safety equipment--something horse carriages  
21 currently lack.

22 This plan represents not only a  
23 giant step forward in technology, but also a vast  
24 improvement in public health and safety of New  
25 Yorkers, as well as an increase in tourism dollars

1  
2 for the city. It's a win-win situation for  
3 animals, humans, tourism industry, New York City,  
4 and I urge you to support Intro 86. Thank you

5 CHAIRPERSON KOSLOWITZ: Thank you.  
6 Thank you. Council Member Lander.

7 COUNCIL MEMBER LANDER: Thanks very  
8 much for your testimony. Others, I assume, will  
9 have questions more specifically on 86 and I  
10 appreciate that you're all here specifically, you  
11 know on the carriage horse industry as it relates  
12 to Central Park, so I apologize for bringing a  
13 Brooklyn perspective. My district has a rental  
14 riding stables, Kensington Stables, which serves  
15 Prospect Park and so I just want to ask your  
16 position on whether you think there's room for the  
17 rental riding stables, and whether they can be  
18 thought of differently than carriage stables. And  
19 in particular, I guess Ms. Eldridge's testimony  
20 references Grand Army Plaza, so I just want to  
21 make sure we're clear that we don't have any  
22 carriage--oh, okay, there was a--so I mean, and  
23 these new vehicles would be welcome in Grand Army  
24 Plaza. Certainly, but I just want to make sure  
25 we're clear we don't have any carriages in

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Brooklyn, what we have are these riding horses.

3

And I just want to ask both the ASPCA and CLASS,

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if you see the rental riding horses differently

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and....

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LAURA ELDRIDGE: I mean, yes, I

7

would say I do, we don't have a particular

8

position on--

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CHAIRPERSON KOSLOWITZ:

10

[Interposing] Talk a little louder, please.

11

LAURA ELDRIDGE: We don't have a

12

position on the rental riding horses, I would say

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that we do see them differently, our legislation

14

doesn't seek to address them particularly.

15

COUNCIL MEMBER LANDER: Thank you.

16

JANE HOFFMAN: I was in born in

17

Brooklyn and I grew up riding horses and I think

18

they are different than the carriage horse

19

industry.

20

MELISSA NORDEN: And the ASPCA is

21

concerned with the medical and behavioral needs of

22

the horses. If those are attended to, we are all

23

supportive of people riding horses.

24

COUNCIL MEMBER LANDER: Thank you

25

all very much.

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[Pause]

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COUNCIL MEMBER CROWLEY: If a plan was put together where the horses and the horse carriages were used mostly in just the parks, would you be amenable to that?

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MELISSA NORDEN: I could speak on behalf of the ASPCA, as I mention in my testimony, we supported the ban of the horses, we supported the restrictions in Central Park, we have just met with great opposition to those proposals and they did not address the human aspects of this industry. The current proposal, Intro 86, does address that, does address the jobs aspect, and that's why were supporting it right now.

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COUNCIL MEMBER CROWLEY: Now Intro 86, it sounds like a good opportunity, however, why not bring on these cars before so you can show that there's actual economic viability in New York City, have you thought about doing that? Maybe five of them?

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LAURA ELDRIDGE: I don't think that we have considered doing that, I mean, it does call for a gradual phase out and phase-in of this new industry which would allow us to get a sense

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25

1  
2 of--and we've done some extensive research on the  
3 economic feasibility, which I could share some  
4 reports with you.

5 COUNCIL MEMBER CROWLEY: I've seen  
6 some--

7 [Crosstalk]

8 LAURA ELDRIDGE: [Interposing] I  
9 mean, and for us it's also about the humane issue  
10 for the horses, so it's not--the plan would need  
11 to address that as well and that's why it does  
12 address phasing out the carriage horse. 'Cause we  
13 don't think there's any conditions that can be--  
14 you know, there's any way to make working, pulling  
15 carriage in midtown Manhattan truly humane for a  
16 horse. And increasing the restrictions still  
17 wouldn't address that and especially when you  
18 consider that the current restrictions aren't  
19 adequately enforced or followed by the industry,  
20 so making them tougher doesn't necessarily solve  
21 any of those issues.

22 COUNCIL MEMBER CROWLEY: And the  
23 plan also has for the driver of these cars to  
24 speak to those that are within the car using their  
25 service. Many of the horse and carriage drivers

1  
2 are new Americans, we heard there's 20 % are  
3 Latino, or even if they were to come from Ireland,  
4 they don't have the general American English  
5 accent. Would you see that as a difficulty?

6 LAURA ELDRIDGE: Well I would  
7 presume that since they're dealing with the public  
8 every day that they speak some amount of English,  
9 and I think having a diverse array of drivers from  
10 different countries and with accents is actually  
11 perfectly fitting with the city of New York  
12 because it reflects the population of our city.  
13 It would require training certainly to train  
14 people about the history and the sites of New York  
15 City in order for them to actually offer a proper  
16 tour.

17 COUNCIL MEMBER CROWLEY: Have you  
18 spoke with any of the carriage drivers to see if  
19 they'd be interested themselves instead of  
20 mandating it by law, but trying to gather whether  
21 they'd give up their license for it?

22 LAURA ELDRIDGE: We have not, as I  
23 think Melissa mentioned, there's been a great deal  
24 of resistance because it does include a phasing  
25 out of the carriage horse industry and generally

1  
2 the minute you start talking about that, it's  
3 difficult to have a meaningful conversation.

4 COUNCIL MEMBER CROWLEY: Okay.  
5 Thank you.

6 CHAIRPERSON KOSLOWITZ: Council  
7 Member Mark-Viverito.

8 COUNCIL MEMBER MARK-VIVERITO: I  
9 just have one question with the ASPCA. Do you  
10 have any sort of involvement with the industry  
11 right now in terms of regulation, do you work  
12 through the Department of Health to look at the  
13 stalls and monitor, I mean, what's your role right  
14 now currently with the industry and how do you  
15 interact with it?

16 MELISSA NORDEN: We have concurrent  
17 jurisdiction with the Department of Consumer  
18 Affairs, Department of Health, and NYPD, but we  
19 are the primary enforcer out there, we're the only  
20 one that is privately funded. And we did in 2009  
21 240 hack [off mic] inspections and about 20 full  
22 on investigations and we issue summonses for  
23 violations that we find out there. Most of those  
24 involve things that could easily be enforced by  
25 the other entities that are responsible for this

1  
2 industry, but they're not out there and we are on  
3 a daily basis. A lot of them are things like  
4 having no lights on the carriage, having improper  
5 identification, covering the rate cards, things of  
6 that nature, which are not our expertise. Our  
7 expertise is in animal welfare, but because there  
8 is a lack of oversight, we're out there doing the  
9 jobs of those other departments.

10 COUNCIL MEMBER MARK-VIVERITO: Well  
11 you said that you have joint jurisdiction with the  
12 other agencies that you identified with regards to  
13 enforcement.

14 MELISSA NORDEN: Correct.

15 COUNCIL MEMBER MARK-VIVERITO:  
16 Right, so you're in there and you see it and I  
17 think I don't think anybody in this room would  
18 question that ASPCA is a respected agency with  
19 extensive history, and so you're saying that  
20 historically the ASPCA has been against the horse  
21 carriage industry.

22 MELISSA NORDEN: Right, we've tried  
23 to look at this from various directions, as I  
24 said, we supported a ban, we supported restricting  
25 to the park, and we're really in favor of Intro 86

1  
2 because it does consider the human aspect of this  
3 industry and the concern about the jobs that  
4 people have raised and we're hoping that a number  
5 of the people in this industry can transition to  
6 this better job for them higher-paying with  
7 benefits and training they don't currently have.  
8 It would also require drivers licenses for the  
9 drivers, which the drivers of the carriage horses  
10 are not required to have and some basic things  
11 that people would assume they do have. For  
12 instance, most recent this past week, you may have  
13 seen in the papers that there was a suspension of  
14 a drivers license for a month and \$175 fine issued  
15 because the driver was driving drunk and had empty  
16 bottles in the carriage, but because it's not  
17 considered driving like if you were driving a car  
18 and caught drunk, the fine was minimal.

19 COUNCIL MEMBER MARK-VIVERITO: Then  
20 in terms of with the joint jurisdiction, so you're  
21 saying that you're raising--so things that you're  
22 looking at which you don't really normally do, you  
23 said you talk about the--

24 MELISSA NORDEN: Animal welfare.

25 We--

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COUNCIL MEMBER MARK-VIVERITO: No,  
no, no, I know, but I'm saying--

MELISSA NORDEN: Right, oh.

COUNCIL MEMBER MARK-VIVERITO: --  
that some of the things that you've looked at  
which are not in your--

MELISSA NORDEN: Right.

COUNCIL MEMBER MARK-VIVERITO: --  
kind of like your normal standard operations--

MELISSA NORDEN: Right.

COUNCIL MEMBER MARK-VIVERITO: --  
are you bringing those issues and concerns to like  
the DCA and the Department of Consumer Affairs  
when you find things that maybe are against  
regulations, existing regulations, are you raising  
that to them so that they issue fines or do--

MELISSA NORDEN: [Interposing] We  
certainly have, what the follow-up has been I  
can't speak to, we're not always apprised of that  
when and if it does occur.

COUNCIL MEMBER MARK-VIVERITO: I  
see.

MELISSA NORDEN: If you're aware of  
the two reports by former comptroller, those

1  
2 issues were addressed that they basically said the  
3 ASPCA is doing this work.

4 COUNCIL MEMBER MARK-VIVERITO:

5 Okay. I appreciate it, thank you.

6 CHAIRPERSON KOSLOWITZ: I would  
7 like to ask you to elaborate, how often do you see  
8 the other departments coming out?

9 MELISSA NORDEN: I don't have  
10 personal knowledge of that, I'm certainly happy to  
11 look into that and let you know. I have been at  
12 the ASPCA 10 years and I've never heard anybody  
13 tell a story of any of the other departments  
14 coming out and seeing them there.

15 CHAIRPERSON KOSLOWITZ: 'Cause you  
16 were here when they testified before saying that  
17 they do come out to inspect.

18 MELISSA NORDEN: Right, I heard  
19 them say four times a year, which I think the  
20 Comptroller's report stated that they were not  
21 doing.

22 CHAIRPERSON KOSLOWITZ: Okay. And  
23 how many times a year do you inspect?

24 MELISSA NORDEN: Last year, we did  
25 about 240 inspections, as I said, we're entirely

1  
2 privately funded, we have 18 law enforcement  
3 agents to cover the entire city.

4 CHAIRPERSON KOSLOWITZ: How many,  
5 I'm sorry?

6 MELISSA NORDEN: Eighteen, and  
7 they're responding to several thousand complaints  
8 a year relating to cats, dogs, horses, all kinds  
9 of animals. So they can't be out there 24/7.

10 CHAIRPERSON KOSLOWITZ: Okay.  
11 Thank you. Council Member Gennaro.

12 COUNCIL MEMBER GENNARO: Thank you,  
13 Madam Chair. Ms. Norden, okay, with regard to  
14 animal welfare which is the specialty of the  
15 ASPCA, you indicated that you're out there each  
16 and every day, I think is what you said or--

17 MELISSA NORDEN: [Interposing]  
18 Right, portions of the days--

19 COUNCIL MEMBER GENNARO: --most  
20 days certainly, sure.

21 MELISSA NORDEN: --like I said, we  
22 can only do at certain--

23 [Crosstalk]

24 COUNCIL MEMBER GENNARO: And with  
25 regard to your specialty, which is the animal

1  
2 welfare and this is a question I had posed to the  
3 Department of Health, has the ASPCA on animal  
4 cruelty grounds ever made a recommendation to the  
5 Department of Health that a certain driver or a  
6 certain owner or stable be thrown out of the  
7 business and has that recommendation ever been  
8 made to the Department of Health that there's a  
9 bad actor that shouldn't be in the business and  
10 you've made a formal recommendation for the  
11 Department of Health to get that person out of the  
12 business on animal cruelty grounds? The  
13 Department of Health indicated that they never had  
14 any knowledge of such a request by the ASPCA, and  
15 I'd like you to speak to that, if you could.

16 MELISSA NORDEN: Right, I cannot  
17 point to one specific direction about a specific  
18 stable.

19 COUNCIL MEMBER GENNARO: Right.

20 MELISSA NORDEN: As I said, the  
21 past year, we conducted 18 investigations on our  
22 own, but we have not gotten support from those  
23 other agencies. So when we have brought things to  
24 their attention, they have not acted on them.

25 COUNCIL MEMBER GENNARO: Right, but

1  
2 I'm talking like with regard to animal cruelty, I  
3 mean separate and apart from some kind of consumer  
4 issue or whatever, it's certainly 'cause you're  
5 out there doing that as well for them because you  
6 have the jurisdiction to do that, but my primary  
7 concern, thing that I'm focusing on is the welfare  
8 of the horses and on--

9 MELISSA NORDEN: Right.

10 COUNCIL MEMBER GENNARO: --animal  
11 cruelty grounds, has your agency made a  
12 recommendation that you know of to the Department  
13 of Health, which is the entity you would have to  
14 go to--

15 MELISSA NORDEN: Right.

16 COUNCIL MEMBER GENNARO: --in order  
17 to tell them not to renew this drivers license,  
18 this horse driver's license or this horse because  
19 it's sick, or made a recommendation that a certain  
20 horse or a certain driver, a certain owner, or a  
21 certain stable shouldn't be in the business any  
22 longer because it's detrimental to the welfare of  
23 an animal.

24 MELISSA NORDEN: A specific overall  
25 recommendation, I'm not aware of. I do know they

1  
2 had been contacted about issues like holes in the  
3 floor, ceiling falling down, haystack--

4 COUNCIL MEMBER GENNARO: Right.

5 MELISSA NORDEN: --too high,  
6 causing--

7 COUNCIL MEMBER GENNARO: Right.

8 MELISSA NORDEN: --a fire hazard,  
9 things of that nature, a specific recommendation  
10 to shut a specific stable down, I am not aware of.

11 COUNCIL MEMBER GENNARO: Okay. And  
12 one other thing, I'd just like to recognize the  
13 work of the ASPCA, notwithstanding your opposition  
14 to the industry with regard to Intro 35, you were  
15 reached out to by the Council and you provided  
16 recommendations that should be put in the bill and  
17 we were happy to work with you on that, and I  
18 think most if not all of the recommendation made  
19 by the ASPCA are in the bill and we appreciate  
20 that.

21 MELISSA NORDEN: Many, many of the  
22 recommendations are in there and I appreciate the  
23 opportunity for us to put those in there. One of  
24 the things that is not in there are the  
25 recommendations on humidity and wind chill being

1  
2 considered and the temperatures, which are very  
3 important--

4 COUNCIL MEMBER GENNARO: Right.

5 MELISSA NORDEN: --based on the  
6 information we've received from our equine  
7 veterinarian who has been monitoring the horses  
8 for--

9 [Crosstalk]

10 COUNCIL MEMBER GENNARO: Okay.

11 Well we should certainly continue that  
12 conversation and I look forward to doing that.  
13 Thank you and thank you, Madam Chair.

14 CHAIRPERSON KOSLOWITZ: And thank  
15 all of you, thank you.

16 LAURA ELDRIDGE: Thank you.

17 CHAIRPERSON KOSLOWITZ: Okay.

18 Richard Feldman, John Lowe, Ed Hayes, and Dr.  
19 Farrell.

20 [Long Pause]

21 CHAIRPERSON KOSLOWITZ: May begin.

22 DR. DENNIS FARRELL: My name is Dr.  
23 Dennis Farrell, I'm an equine veterinarian, I've  
24 been in practice for over 20 years. I've come  
25 here to address the care and well-being of the

1  
2 horses here in New York City. I have also been  
3 called in for many cases of horse abuse out on  
4 Long Island, especially the ones with the C.I.  
5 Five that you heard about not too long ago. Also  
6 dating all the way back to Whitey when things  
7 first occurred.

8           The one thing I don't think that  
9 people are aware of right here is that the level  
10 of care that's being given to these animals, these  
11 animals are inspected on a regular basis, there's  
12 more criteria for these animals in terms of  
13 regulations than any other place in the United  
14 States. I've worked here and in Europe, I've  
15 worked for many other agencies here in the city,  
16 I'm called in also when there's a problem going  
17 on. And the horses that are pulling the  
18 carriages, they're draft horses, they were bred  
19 for this, this is not a riding horse that  
20 someone's going to ride, and like many of the  
21 people said, there's no issues with that going  
22 through, these horses were bred to do this job.  
23 These horses can't work when it's too hot, can't  
24 work when it's too cold. There's no other place  
25 in the country that monitors their animals as well

1  
2 as here in New York.

3 I think it would be a travesty to  
4 take them away because I don't think people also  
5 understand the relationship that the drivers and  
6 the animals have and the care that's given. Three  
7 o'clock in the morning when you're working on a  
8 sick horse, these people are here, not just the  
9 driver, but many of the other people who are their  
10 friends also caring for the animals, not getting  
11 paid for it, just doing the right thing by the  
12 animal.

13 The other thing is that some of the  
14 cases that they've said was brought up before  
15 about what happens to the animals, why do some of  
16 these horses die, age happens, illness happens.  
17 Everything is being done the right way, they're  
18 being monitored. You can't take care of mother  
19 nature in all aspects, but everything that can be  
20 done is being done.

21 Also, in regards to stall size,  
22 there's a study done at the University of  
23 Pennsylvania by a Dr. McDonald who stated that  
24 sometimes straight stalls are not a bad thing  
25 because these horses can socialize better. I've

1  
2 had less incidents--I'll make this very quick--  
3 I've had less incidents of horse-related problems  
4 in a straight stall than in a box stall, 'cause  
5 the horses have more room to move around and they  
6 can get caught.

7 But in terms of the compassion  
8 that's given to the animals for everything right  
9 here, these people are doing a great job. And if  
10 there's any questions I'll be glad to answer them.

11 ED HAYES: Good morning, my name is  
12 Ed Hayes, I am a third-generation farrier, my  
13 grandfather and father preceding me.

14 I developed my skills working side-  
15 by-side with my father at the forge and shoeing  
16 horses. I have 30 plus years experience shoeing  
17 horses, which includes various types of riding  
18 horses, carriage horses, and draft horses. In  
19 terms of shoeing horses used to serve our  
20 citizens, our family was three generations shoeing  
21 the Jersey City police horses and two generations  
22 shoeing the New York City police horses when there  
23 was a troop on Staten Island, and two generations  
24 shoeing in New York City carriage horses.

25 I currently work as a farrier in

1  
2 New York City for the carriage industry.

3 [Pause]

4 DR. JOHN LOWE: My name is John  
5 Lowe, I've been a veterinarian for the past 51  
6 years, I was a professor at Cornell University for  
7 22 of those years at the College of Veterinary  
8 Medicine, I'm a private practitioner now. I've  
9 been asked to be a consultant to the carriage  
10 horse people here for the past two years actually  
11 and there's not one instance that I've been able  
12 to come upon or a veterinarian who's inspected  
13 these horses, has said they're not well cared for,  
14 that includes the ASPCA veterinarian as far as I  
15 know 'cause I don't see the ASPCA bringing up  
16 anything that really says there's abuse with  
17 regard to the care of these animals.

18 The latest inspection has been from  
19 the President, Vice President, and Executive  
20 Director of the American Association of Equine  
21 Practitioners, that's 5,000 equine practitioners  
22 that they represent worldwide. They had very  
23 positive statements regarding the care of the  
24 horses.

25 I've got a minute to do it so, the

1  
2 horse appeared well-fed, healthy, well shod, and  
3 calm, curious in their demeanor--and they are,  
4 there's no doubt about it, they enjoy being around  
5 people, which means they're well handled--their  
6 stalls were bedded and fresh water was available.  
7 Evidence of regular veterinary examinations--you  
8 know all those things. They taken care of.

9                   During our carriage rides through  
10 Central Park, we noticed no lame horses nor any  
11 forceful or abusive behavior by the drivers. In  
12 all, we were favorably impressed with the  
13 condition of the horses and the care they  
14 received. Thank you.

15                   RICHARD FELDMAN: Hello, my name is  
16 Richard Feldman, and from my accent, you can tell  
17 where I was born. I'm one of the lucky guys, I  
18 was proposed four times in a carriage and married  
19 all four of them.

20                   [Laughter]

21                   The last one stuck 34 years ago.  
22 Anyway, I'm a trustee of the United States  
23 Equestrian Team Foundation, we're responsible for  
24 sending horses all over the world to represent  
25 this country. I've ridden a horse every single

1  
2 day of my life, including this morning. I'm up in  
3 Van Cortland Park now, did ride in Central Park,  
4 anybody who runs there has seen me all through the  
5 years. My family's in the horse business, we  
6 raise and breed race horses in Lexington,  
7 Kentucky, I'm not a part of that. But I am  
8 responsible for the foundation of the Parks  
9 Department Mounted Auxiliary in 1996, we now  
10 patrol all the parks in the city all on a no-pay  
11 basis.

12 I will tell you that I visit the  
13 stables, and I visit them because I love the  
14 animals themselves. These guys and gals that take  
15 care of these horses, believe you me when I tell  
16 you, people don't take care of children the way  
17 they take care of these horses; you don't take  
18 good care of your car the way they take care of  
19 the horses. When your car needs an oil change, it  
20 says change after 3,000, 5,000 whatever it does,  
21 you can bet me you don't change it. These horses  
22 are treated better, better than many men treat  
23 their families.

24 This is a fabric of New York that's  
25 been part of us, you can put in all the plastic

1  
2 cars you want and save all the green that you  
3 want, horses, as the gentleman said here, horses,  
4 people, birds, dogs, we die naturally. I heard  
5 two or seven deaths in 2007, I can tell you where  
6 three of them came from Clermont, that's now  
7 closed. Please support bill number 35. Thank you  
8 so much, I'm open for questions.

9 CHAIRPERSON KOSLOWITZ: Council  
10 Member Gennaro.

11 COUNCIL MEMBER GENNARO: Thank you,  
12 Madam Chair. Yes, I've been to the stables myself  
13 and I've seen the conditions and, yes, I was  
14 impressed. Being that you all know about horses,  
15 I certainly appreciate your wide breadth of  
16 knowledge on this. There's been some issue made  
17 today about the amount of work that the horses  
18 have to do. Based on your knowledge of horses,  
19 and this question going to maybe it will go to Dr.  
20 Lowe, with the amount of work that the horses do,  
21 would that be consistent with what you think they  
22 would need for a healthy lifestyle or would it be  
23 too much or would it be too low? Like, what is  
24 your interpretation of the amount of work that the  
25 horses have to do?

1  
2 DR. JOHN LOWE: As light draft  
3 horses, it's very light work, it's very minimal  
4 work. They walk, occasionally they trot, but they  
5 don't even trot very much, and they rest a whole  
6 lot of time. So I think if you could ask the  
7 horse, many of them would say we wish we had more  
8 to do than we have. We like to go home and eat  
9 and they are hay burners, they eat--

10 COUNCIL MEMBER GENNARO: Right.

11 DR. JOHN LOWE: --eat and eat and  
12 eat, but they certainly are not overworked.

13 COUNCIL MEMBER GENNARO: And, Dr.  
14 Lowe, some people might not be familiar with the  
15 difference between like a saddle horse and those  
16 breeds that are saddle horses and true draft  
17 horses, which are very, very heavy and some of the  
18 horses I think we have in the stables here in New  
19 York City, which are a combination of like the  
20 true draft horse and like the carriage horse would  
21 be--

22 DR. JOHN LOWE: Yes.

23 COUNCIL MEMBER GENNARO: --sort of  
24 like a mixture, and if we talk about the  
25 difference in temperament and strength and how

1  
2 they're physically different from other kinds of  
3 saddle horses.

4 DR. JOHN LOWE: Obviously they're  
5 stronger and they're selected for draft so that  
6 they can pull vehicles, but they're also unknown  
7 as cold-blooded horses compared to thoroughbreds  
8 that are known as hot-blooded horses. They're  
9 temperaments are as different as many dogs that  
10 you know of of different breeds. The draft horses  
11 are easy-going, if they get excited, they calm  
12 down quickly compared to a thoroughbred. If a  
13 thoroughbred gets excited, they explode sometimes,  
14 just like you seen some dogs explode, a Labrador  
15 compared to a Jack Russell terrier, for example.  
16 So they are very good horses for this work. And  
17 they're also selected, they don't all make boot  
18 camp, some of them can't handle the city, but the  
19 ones that do, handle it very well and they're  
20 selected well that way.

21 COUNCIL MEMBER GENNARO: And one  
22 last question, perhaps to you, Dr. Lowe, or to  
23 anyone on the panel. Were there to be a ban or a  
24 phase out, I have to think about the fate of the  
25 horses, now certainly they--

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[Crosstalk]

MALE VOICE: Go ahead.

COUNCIL MEMBER GENNARO: --would--  
if they were lucky enough to find some other  
setting, it would presumably be a setting that  
didn't provide the level of oversight and mandated  
health care and vacations and everything and  
direct oversight by the ASPCA, and so we would, I  
guess, necessarily be transferring these horses  
into some other realm where they have a lot of  
oversight and protection to one in which they  
didn't unless there was some benign entity wanted  
to come by and create some big horse farm that  
would just care for them all. But when you think  
about what it costs to feed them and these animals  
eat, I guess, like about 2 % of their body weight  
every day in dry feed, which is a lot of food,  
they need medical services, they need to be shod,  
they need to be exercised. So speak, if you  
would, to the extent that you can about the fate  
of the horses were there to be a phase out or a  
ban of the industry.

DR. DENNIS FARRELL: I'll give you  
a quick scenario on that, you have three scenarios

1  
2 right here which people aren't aware of, many of  
3 the draft horses when they go to the sales,  
4 they're sold for meat, that's number one, so these  
5 horses are condemned to death.

6 The second scenario is the horses--

7 COUNCIL MEMBER GENNARO:

8 [Interposing] Kill buyers, right?

9 DR. DENNIS FARRELL: Kill buyer for  
10 food--

11 COUNCIL MEMBER GENNARO: Right.

12 DR. DENNIS FARRELL: --over in  
13 Europe and all over the world. There's another  
14 situation where you have the horses where there's  
15 no restrictions on them, they will work day in,  
16 day out, regardless of heat, cold, weather  
17 conditions, anything that's going on. Now you  
18 come to New York City, they're basically in the  
19 union, they work X amount of hours a day, they  
20 can't work when it's too hot, can't work when it's  
21 too cold. Most of the drivers have three horses,  
22 a day, a night, and one on the farm and they  
23 rotate them around, so you really can't get a  
24 better deal. Plus they're serviced by a  
25 veterinarian at least once a year, the new

1  
2 regulations will specify twice a year. You also  
3 have a situation where the ASPCA and the board of  
4 health do a hell of a job, they're out there every  
5 single day almost looking at these horses,  
6 anything goes wrong, they're pulled. There's no  
7 other place in the country where this is  
8 occurring.

9                   So if you take these horses out,  
10 you're basically condemning them to death. We  
11 can't take care of all the horses in the world,  
12 but the amount of horses that are here are very  
13 well taken care of, they're very supervised, and  
14 everything that possibly can be done for them is  
15 taken care of.

16                   COUNCIL MEMBER GENNARO: Thank you,  
17 thank you to the panel. Thank you, Madam Chair.

18                   CHAIRPERSON KOSLOWITZ: Council  
19 Member Ignizio.

20                   COUNCIL MEMBER IGNIZIO: Thank you  
21 very much and good morning everybody. I don't  
22 really think I make anybody happy today 'cause I'm  
23 not on this committee, but I came here to learn,  
24 to listen to everyone, and to actually try to make  
25 my determination accordingly, and it's been

1

2 difficult to do.

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Seemingly, this seems like a philosophical debate, of those that believe animals, or this case horses, don't belong in New York City, and then there are those who believe that our history is based on it and they do. So as I said, in that divide, I don't know that I make anybody happy.

10

11

12

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14

I'm going to ask Dr. Lowe, is there a belief that having horses in midtown Manhattan equals cruelty to animals? That you cannot, your [off mic] that you can point to in your studies?

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DR. JOHN LOWE: No, there isn't. You have to decide whether the animal is well cared for and content based on the way the animal relates to you, what you consider its demeanor and its behavior, how the body flesh is, how shiny the coat is, how well it eats, all those things, and those are all positives with regard to these horses.

22

23

24

25

So I myself admire these horses for being able to work with--yesterday I watched them coming down by the Plaza with a full siren on an ambulance going by, and they don't even pay any

1  
2 attention because that's how confident they are  
3 and how, as we call, broke they are, how good they  
4 are at it.

5 COUNCIL MEMBER IGNIZIO: Thank you.  
6 And to follow up, I mean, I have concern with  
7 regards to overall regulation because of what has  
8 occurred in my district, I represent the South  
9 Shore of Staten Island and for those who may or  
10 may not know, had a thriving horse industry and  
11 upwards of, I believe, it was 60 or so stables  
12 have gone out of business for various reasons,  
13 overregulation. And when we talk about monies  
14 that are derived from that, it was a huge  
15 financial boom to the city to have that industry  
16 there and we whittled away our history when we  
17 whittled away the horses, and I'm happy to see  
18 that the boarding stables have been removed from  
19 this bill, one of the bills in question and I  
20 believe that rentals ought to as well.

21 My final concern though is with  
22 regards to the horse fate as you just spoke to and  
23 Gennaro stole my question a little bit, which I  
24 wasn't too happy about, but in the end of the day  
25 we do have animals here and where they go and what

1  
2 their fate may be, and my concern was what you  
3 said, that they will be--your belief is that they  
4 would be put to death, sir?

5 DR. DENNIS FARRELL: The reason I  
6 say this is because these horses are bred to pull  
7 a carriage, and if the horses go out, nobody  
8 really has--if somebody had the money to come in  
9 and say, okay, I'm just going to put them as lawn  
10 ornaments and lawn mowers and just have them taken  
11 care of for the rest of their lives, it's not  
12 happening for the most part. Maybe one or two  
13 will be adopted out by other people, but for the  
14 most part you have a few hundred horses that are  
15 being cared for in a proper manner. So if you  
16 really want it to show compassion, you're going to  
17 let them keep their jobs.

18 COUNCIL MEMBER IGNIZIO: Right and  
19 [off mic] I think that is an issue that needs to  
20 be addressed by this body, this regulation and  
21 perhaps going forward with both sides. As I said,  
22 I'm not a member of the Committee, I came here  
23 just out of interest, I've been lobbied on both  
24 sides, and to this minute, I don't know where I  
25 fall on this issue and I'm happy to sit here and

1  
2 listen as long as I can to the continuing debates.  
3 So thank you, Madam Chairman.

4 CHAIRPERSON KOSLOWITZ: Thank you,  
5 and thank you all of you very much.

6 [Off mic]

7 MALE VOICE: Thank you very much.

8 CHAIRPERSON KOSLOWITZ: Our next  
9 panel will be Eric Rothman, Erich Arcement, Jill  
10 Weitz, and Linda Marcus. And I also want to  
11 announce we've been joined by Council Member  
12 Koppell. [Pause] Can I see these again?

13 FEMALE VOICE: [Off mic] These are  
14 the next people.

15 CHAIRPERSON KOSLOWITZ: These?

16 FEMALE VOICE: Those are the next--

17 [Pause]

18 SERGEANT-AT-ARMS: --down, please,  
19 take [off mic] conversations outside.

20 [Long pause]

21 CHAIRPERSON KOSLOWITZ: You can...

22 ERIC ROTHMAN: Good afternoon, my  
23 name is Eric Rothman, I'm the President of HR&A  
24 Advisors. My firm was retained by NY CLASS to  
25 conduct a economic feasibility study of the

1  
2 vintage electric horseless carriage business  
3 that's described as show cars in Intro 86. My  
4 firm is an economics and policy consulting firm,  
5 we're based here in New York City, we have over 30  
6 years of experience conducting economic research  
7 on such matters as the High Line, arts & cultural  
8 organizations across New York City, the Brooklyn  
9 Bridge Park, and for the City of New York on  
10 multiple efforts, including PlaNYC.

11 The findings from our study  
12 indicate that there's a strong market for these  
13 show cars that would serve Central Park  
14 sightseeing, as well as provide niche market tours  
15 of New York City. Based on our market research,  
16 we estimate that the vintage electric horseless  
17 carriage industry could provide 1.1 million rides  
18 per year, earning over \$31 million in taxable  
19 revenues for the City of New York. This figure is  
20 double the estimated revenue of the current cash-  
21 based horse-drawn carriage industry due to the  
22 potential of the higher priced niche tours, the  
23 acceptance of credit cards, more comprehensive  
24 marketing, and the use of technology to achieve  
25 efficient vehicle utilization.

1  
2 We also projected that the industry  
3 could employ 90 to 125 drivers in a mix of part  
4 time and full time positions, plus an additional  
5 30-40 people in ancillary positions, such as  
6 marketing and dispatch. Under Intro 86, the  
7 drivers would be licensed as New York City tour  
8 guides, in contrast to the current horse-drawn  
9 carriage drivers. Our feasibility study assumes  
10 that the jobs will be union jobs with an average  
11 pay of \$21 an hour plus benefits, including health  
12 care.

13 Our findings are based on  
14 comprehensive research into the New York  
15 sightseeing transportation market that included an  
16 assessment of all sightseeing options New York  
17 City, as well as in other cities through a  
18 combination of market research and interview with  
19 experts and industry officials. We found that  
20 there are show car tourism businesses in other  
21 cities, most notably in San Francisco and in  
22 Prague.

23 In addition, we conducted a field  
24 survey of nearly 300 tourists in and around  
25 Central Park in July of 2009 to understand their

1  
2 current sightseeing transportation preferences and  
3 gauge potential interest in pricing for potential  
4 vintage electric horseless carriage. Our survey  
5 found that approximately 50 %--excuse me, 50 % of  
6 tourists across a range of ages, genders, and  
7 residence would be interested in sightseeing using  
8 the show cars, with a median price point of about  
9 \$20 per person for a typical ride. The survey  
10 participants' main reasons for expressing interest  
11 in the show cars were that it would be a unique,  
12 nostalgic experience and it's eco-friendly.

13 In addition, while we didn't  
14 particularly survey for horse-drawn carriage  
15 users, of the 18 that we did survey, 83 %  
16 indicated they were interested in using the show  
17 cars.

18 CHAIRPERSON KOSLOWITZ: You're  
19 going to have to sum up.

20 ERIC ROTHMAN: In conclusion, our  
21 study showed that the show cars proposed under  
22 Intro 86 are economically feasible replacement for  
23 the horse-drawn carriage industry. This would  
24 utilize progressive, 21st century technology to  
25 create a unique sightseeing experience, preserve

1  
2 and create high quality jobs, and support the  
3 city's environmental goals. I'll be happy to take  
4 your questions. Thank you.

5 ERICH ARCEMENT: Good morning, my  
6 name is Erich Arcement, I'm a Senior Vice  
7 President at Sam Schwartz Engineering and then  
8 providing testimony in favor of Intro 86 on behalf  
9 of Sam Schwartz who could not be here today.

10 Sam Schwartz is an expert in  
11 traffic engineering and safety and has been in  
12 practice for almost 40 years. He was the city's  
13 traffic commissioner and chief engineer and is  
14 currently the President and CEO of Sam Schwartz  
15 Engineering.

16 On behalf of NY CLASS, Sam Schwartz  
17 Engineering reviewed the traffic and pedestrian  
18 impact of horse carriages on city streets, as well  
19 as those benefits associated with vintage electric  
20 horseless cars.

21 Horse carriage activity negatively  
22 impacts traffic in numerous ways: They are at a  
23 different scale, riding higher than vehicles and  
24 people; operator visibility is limited as they  
25 must see over the horses and around the carriage;

1 operators cannot react to traffic the way normal  
2 vehicles do; the carriage is slower and will often  
3 cause congestion; they are often operated in  
4 conflict of vehicle and traffic law, making U-  
5 turns illegally and cutting diagonally across  
6 traffic; operators do not need driver's licenses  
7 and, therefore, may be less aware of motor vehicle  
8 law; carriages are not regulated for  
9 crashworthiness. Of the crashes that have been  
10 reported from '94 to 2007, 87 % were related to  
11 the horse for the reasons ranging from the horse  
12 being spooked to the horse breaking free.

13  
14 Removing the horse from the equation would  
15 certainly reduce the accidents involved with the  
16 sightseeing activity.

17 The alternative, vintage electric  
18 cars, will be regulated, crashworthy, and more in  
19 line with the system in which they operate. They  
20 will meet the requirements for operation set by  
21 the New York State Department of Motor Vehicles.  
22 Their size is to scale with the pedestrians,  
23 pedicabs, and vehicles around them providing  
24 better visibility to the driver and reducing the  
25 likelihood of accidents. By design, they will

1  
2 allow an operator, who would be licensed by the  
3 DMV, to better pay attention to his driving while  
4 also providing a guided tour. Since they are  
5 designed more in the style of a motor vehicle,  
6 they'll be more maneuverable with quicker reaction  
7 time. They will cause less congestion on city  
8 streets and more effectively operate within the  
9 traffic flow. Most importantly, by replacing the  
10 horse carriage with a vintage electric vehicle,  
11 the vast majority of incidents with the current  
12 sightseeing system will be eliminated.

13 In summary, the vintage electric  
14 car will provide numerous benefits as an  
15 alternative to the horse carriage. Thank you.

16 JILL WEITZ: Thank you for the  
17 opportunity to testify today in support of Intro  
18 86, which would replace horse-drawn carriages with  
19 the horseless carriage.

20 My name is Jill Weitz and I am a  
21 resident and native New Yorker.

22 This innovative business proposed  
23 in Intro 86 is green in more than one way: it is  
24 not only environmentally-friendly and humane, but  
25 it is also revenue-friendly. According to a

1  
2 recent study by HR&A, as we have heard, it will  
3 double the profits of the carriage industry and  
4 increase revenues to the city. It will save  
5 taxpayer dollars in city oversight and open up  
6 150,000 square feet of taxable new development in  
7 midtown Manhattan. It will have the capacity to  
8 take credit cards and medallion owners could  
9 afford to pay franchise fees to the city, which  
10 they currently are not paying. Not least  
11 importantly, the business will convert jobs  
12 currently held by independent contractors to union  
13 jobs. This means that employees will be covered  
14 by workman's compensation and the city will have  
15 the ability to fully collect all payroll and  
16 income taxes. It also means better pay and  
17 working conditions for the drivers.

18                   During these lean times it is  
19 especially important that we be innovative in  
20 business. This is New York after all and New York  
21 is looked to as a leader in creativity in all  
22 sectors. The eco-vintage touring car, which most  
23 likely would be made in New York, creates  
24 potential for a much larger carriage business in  
25 New York City that extends beyond tours in Central

1  
2 Park to travel by tourists and residents  
3 throughout the city. Because the cars, unlike  
4 horse carriages, would not be limited by weather,  
5 traffic, or time restrictions, the possibilities  
6 are limitless.

7 I urge my Council Member, Oliver  
8 Koppell, who sits on this Committee and the entire  
9 Consumer Affairs Committee to think outside the  
10 box and support this ground-breaking venture that  
11 will make New York City a leader in urban eco-  
12 tourism. Thank you.

13 LINDA MARCUS: Hello, my name is  
14 Linda Marcus. Last summer, I rescued a 7 year old  
15 New York City carriage horse and named her Chance.  
16 She worked on the streets of our city for two  
17 years and was days away from being sent to  
18 slaughter. Here is her picture. When I had  
19 Chance vetted, she was found to be in poor  
20 condition: Her hooves were crumbling, forcing her  
21 to walk on the heels of her feet which is  
22 extremely painful. The vet said that the problem  
23 was caused by improper diet, pounding the  
24 pavement, and poor horseshoeing. Under normal  
25 circumstances, Chance would be given a few months

1  
2 off to re-grow her hoof, but instead, because she  
3 was unable to work, she was sent by her owner to a  
4 so-called sanctuary in Pennsylvania. Despite  
5 their name, the protocol at these sanctuaries is  
6 that if a horse is not sold within a week, it goes  
7 to slaughter.

8 Even if regulations for rest time,  
9 stall size, and treatment were improved, the needs  
10 of a horse are not compatible with Manhattan's  
11 extreme urban environment. Horses are social  
12 animals who require space to rest and interact.

13 According to equine veterinarian  
14 Dr. Holly Cheever, "there is no way that Manhattan  
15 street life can provide a humane existence for a  
16 carriage horse." The city's noise, traffic,  
17 pollution, and extreme weather are not something  
18 that will go away. At the very least, these  
19 horses should be able to lie down fully stretched  
20 out after a hard day's work--something they cannot  
21 now do because of their small stall sizes.

22 I am grateful that I had the chance  
23 to rescue Chance and see her recover. The life  
24 she enjoys now should be available to all New York  
25 City carriage horses. I support Intro 86 because

1  
2 it would retire these horses and replace them with  
3 a more sustainable and humane alternative. Thank  
4 you.

5 [Pause]

6 FEMALE VOICE: I gave it to them.

7 [Long Pause]

8 CHAIRPERSON KOSLOWITZ: Colm  
9 McKeever, Eva Hughes, Conor McHugh, and Ian  
10 McKeever.

11 [Off mic]

12 [Long pause]

13 SERGEANT-AT-ARMS: Have any copies  
14 of your statements [off mic].

15 [Long pause]

16 CHAIRPERSON KOSLOWITZ: You may  
17 begin.

18 [Off mic]

19 CONOR MCHUGH: Good morning, my  
20 name is Conor McHugh, it's an honor to speak with  
21 you today. I'm a member of Teamsters Local 553  
22 and have been a carriage driver since 1986. I am  
23 also a carriage owner and the manager of Clinton  
24 Park Stables located on West 52nd Street in  
25 Manhattan. I am married and the father of three

1  
2 school-aged children. I am also a member of the  
3 Carriage Operators of North America and the  
4 Central Park Conservancy.

5           Clinton Park Stables was opened in  
6 2003, and it is owned by 15 carriage owners and  
7 houses 72 horses. It is a state-of-the-art  
8 facility providing a safe and healthy environment  
9 for the horses. Some of the features of the  
10 stable and include box stalls, automatic waterers,  
11 misting fans for summer, heating for winter,  
12 cleaning and showering facilities for the horses,  
13 24-hour stable supervision, and it is a fully  
14 sprinklered building protecting from fire hazard.  
15 The horses are bedded with dry straw placed on top  
16 of rubber mats for comfort, bedding is changed  
17 twice daily. The horses are fed a diet of top-  
18 quality, Timothy Hay, as well as approximately  
19 five pounds of grain per day. Box stalls allow  
20 the horses to turn around, roll, and lie down  
21 comfortably to sleep. The horses also have access  
22 to fresh water at all times.

23           Our stable has been inspected  
24 numerous times by the ASPCA, New York City  
25 Department of Health, and New York City Department

1  
2 of Consumer Affairs. We have never received a  
3 single violation from any of these agencies.

4 Now in light of escalating costs  
5 over the last 20 years, we want to support Intro  
6 35, which [off mic] long overdue rate increase,  
7 but also incorporates additional safeguards for  
8 the horses. These safeguards include increasing  
9 the examinations for horses by a licensed  
10 veterinarian from once annually to two times per  
11 year, providing each horse a maximum of five weeks  
12 farm vacation, requiring standard blankets to be  
13 worn in winter months, requiring hydraulic breaks,  
14 additional reflective material on the harness--

15 CHAIRPERSON KOSLOWITZ: You--

16 CONOR MCHUGH: --and increasing the  
17 fines for the drivers if they misbehave.

18 So I also would like to invite any  
19 of you who wish to come visit our stables to do so  
20 at your convenience. And thank you very much.

21 CHAIRPERSON KOSLOWITZ: Okay.

22 Next.

23 IAN MCKEEVER: Good afternoon,  
24 Madam Chairman Koslowitz and Committee Members.  
25 My name is Ian McKeever and I'm a member of the

1  
2 Horse and Carriage Driver's Association of New  
3 York, an industry of five working horse stables in  
4 New York City representing 400 working men and  
5 women and 220 well-bred, highly-trained horses. I  
6 am also the stable owner and manager of Shamrock  
7 Stables, where we care for 30 of those horses.  
8 I'm a proud member of Teamsters Local 553, and  
9 want to thank them for their support today.

10           Committee members, it's been over  
11 20 years since the City Council last approved a  
12 fare increase for our business--20 years. Just to  
13 put that in perspective, at the start of 1989,  
14 Ronald Reagan had just left office, and the Berlin  
15 Wall was still standing. I hardly need to point  
16 out that in the intervening two decades,  
17 operational costs have soared. Hay has increased  
18 600 %, grain 500 %. The cost of shoeing a horse,  
19 which is needed once a month, has gone from \$60 to  
20 \$200. The same is true for all costs affecting  
21 the business--horse healthcare, labor, and  
22 utilities to name but a few.

23           Therefore, we respectfully seek the  
24 City Council's approval for the rate of \$50 for  
25 the first 20 minutes and \$90 for a 40-minute ride,

1  
2 and we urge the Committee to approve Intro 35 to  
3 provide a long-overdue cost of living fare  
4 increase for our industry.

5 We are the concierges of Central  
6 Park and are a landmark attraction in New York  
7 City. Just as important, we are a great source of  
8 information for tourists to help them maximize  
9 their enjoyment of the Big Apple.

10 Finally, I would like to point out  
11 that in America today, most horses have jobs, it  
12 is their nature, breeding to work, be they  
13 racehorses, show jumping horses, or New York City  
14 police horses, we are proud to be part of that  
15 American tradition. And as horse people, we know  
16 that horses thrive in a working environment, and  
17 enjoy interacting with man in a relationship based  
18 on respect, discipline, and affection.

19 I want to thank Speaker Quinn,  
20 Madam Chairman Koslowitz and the entire Committee  
21 for allowing me the opportunity to testify before  
22 you today on this important matter for the working  
23 families of our industry. Thank you very much.

24 COLM MCKEEVER: Hello, my name is  
25 Colm McKeever and I have been a New York City

1 carriage driver for the past 21 years.

2  
3 By way of introduction on the whole  
4 fiscal matter, inflation, as we all know, is the  
5 increase the price you pay for goods or the  
6 decline in purchase power of your money. What  
7 cost \$34 in 1989 would cost \$58.08 in 2009, which  
8 would be over a \$60 value today.

9 Outside of the spiraling running  
10 costs of our business, which some of my colleagues  
11 will talk about, I would like to take this  
12 opportunity to highlight other real financial  
13 challenges we face. Critical examples of rising  
14 costs over the years, the annual healthcare  
15 average percentage change is 5.8 % annually, which  
16 over the past 20 years costs have increased 116 %;  
17 the market value of today's median price New York  
18 City Metropolitan home has risen 110 % in the past  
19 20 years.

20 The point I am making is that in  
21 today's world, costs have skyrocketed. To strike  
22 a balance for the people in our business has  
23 become considerably more challenging. And we have  
24 been anxiously awaiting this opportunity today to  
25 highlight our plight in the hope that our business

1  
2 can continue to support our families. I appeal to  
3 you to vote for a rate increase, Intro 35. Thank  
4 you so much for your support.

5 FEMALE VOICE: Thank you.

6 EVA HUGHES: Hello, my name is Eva  
7 Hughes, I'm the Secretary and Spokeswoman for the  
8 New York Horse and Carriage Association and a  
9 proud Member of Teamsters Local 553.

10 Thank you for having me here today  
11 as I ask you to vote for Intro 35 and against  
12 Intros 93, 92, and 86. There's a book called,  
13 "Everything I Ever Needed to Know I Learned in  
14 Kindergarten." After 30 years in this business, I  
15 feel like I could write a similar book called  
16 Everything I Ever Needed to Know I Learned From  
17 Being A Carriage Driver. From the never-ending  
18 onslaught of the malignant efforts of the animal  
19 rights people I have learned that people use  
20 misinformation and lies to mislead others into  
21 helping them to hurt and vilify innocent people.  
22 From outfits like PETA and the ASPCA I have  
23 learned that behemoth organizations can steamroll  
24 the little guy even when they have zero evidence  
25 to buttress their assertions.

1  
2 The ASPCA, with what amounts to  
3 their own private police force, an annual budget  
4 of \$85 million and full unrestricted access to  
5 every carriage horse at all times has not written  
6 one cruelty ticket in 30 years, not one. Those  
7 are not my words. On this CD recorded at a public  
8 forum in January of this year, I have ASPCA vet  
9 Pam Corey and Agent Pentangelo admitting just  
10 that.

11 From deep pocketed businessmen I  
12 have learned that villains like the Mr. Potter  
13 character from the movie "It's a Wonderful Life"  
14 really do exist, but, unlike that Frank Capra  
15 movie, Jimmy Stewart is not there to put Mr.  
16 Potter in his place, so I'm going to be Jimmy  
17 Stewart today. This businessman and his expensive  
18 juggernaut of lobbyists, billboard campaigns,  
19 cocktail parties, and junkets to Florida designed  
20 to woo the support of the elite will not win the  
21 day by getting him the real estate that our  
22 stables sit on that he covets as outlined in this  
23 article by renowned New York author Michael Gross.  
24 In the words of Jimmy Stewart, you think the whole  
25 world revolves around you and your money, Mr.

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Nislick--well, it doesn't.

Can I wrap up?

[Pause]

EVA HUGHES: On this CD I have Steven Nislick saying politicians are never interested in doing what's right, they are only interested in money and votes. I don't believe that, it's not what I teach my 11-year-old daughter. I am confident that my words are not falling on deaf ears in these chambers. I'm asking you, our elected officials to help us stop the insanity. The carriages are--

SERGEANT-AT-ARMS: Quiet, please.

Quiet, please.

EVA HUGHES: --the carriages are a family-friendly and historic business. Our blue-collar horses live and work--

CHAIRPERSON KOSLOWITZ:

[Interposing] You're going to have to--no, you're taking too long.

EVA HUGHES: I have one sentence left.

Our blue-collar horses live and work with every need met and more while thousands

1 of jobless horses go to slaughter every day.

2 Recognize the calcified prejudice--

3 CHAIRPERSON KOSLOWITZ:

4 [Interposing] I'm sorry--

5 EVA HUGHES: --of the animal rights  
6 people--

7 CHAIRPERSON KOSLOWITZ: --that's  
8 it, I'm sorry--

9 EVA HUGHES: --reject the  
10 prepackaged--

11 CHAIRPERSON KOSLOWITZ: --that is  
12 it. That is--

13 EVA HUGHES: --narrative of the  
14 ASPCA.

15 CHAIRPERSON KOSLOWITZ: --all.

16 EVA HUGHES: Thank you.

17 CHAIRPERSON KOSLOWITZ: That is  
18 all.

19 [Off mic]

20 CHAIRPERSON KOSLOWITZ: And I'm  
21 [pause] anyone that takes over the time, we have  
22 so many people that want to testify that you're  
23 being inconsiderate, so I'm going to stop you, I'm  
24 going to ask the Sergeant-of-Arms to ask you to  
25

1  
2 leave your seat. [Pause] Okay. Council Member  
3 Gennaro.

4 COUNCIL MEMBER GENNARO: Thank you,  
5 Madam Chair. Mr. McHugh, thank you for being here  
6 today, it's been a--it was a pleasure to go to  
7 your stables to see the operation. With regard to  
8 water, just a quick question, can you just briefly  
9 describe the device that gives water to the horses  
10 24 hours at their demand and how that works?

11 CONOR MCHUGH: It's what we call a  
12 water bowl, it has a little nozzle in it which can  
13 be activated by the horse, it's connected to the  
14 water supply, so every time he activates it, fresh  
15 water flows in and he can drink it. So basically  
16 every time he's thirsty he can activate it. It's  
17 something that's designed by numerous animal  
18 providing companies and it's approved by the  
19 Department of Agriculture so it's not just some  
20 little fly-by-night scheme and it's very  
21 successful and works very well.

22 COUNCIL MEMBER GENNARO: Sure, and  
23 also, with regard to water, there was a brief  
24 mention made of these misting devices that are  
25 part of the fans that tend to cool the horses down

1

2 in the hot summer months, can you just speak to  
3 how that works?

4

CONOR MCHUGH: Yeah, well, that's  
5 quite a simple thing, it's used in the Olympic by  
6 the Olympic horses and their stables, but it's  
7 again connected to the water supply and it's a  
8 circular device that provides--just there's a mist  
9 of water so when you turn on the fan, the fan  
10 blows through the water and it can cool the  
11 temperature of the stable by about 20 degrees in  
12 the summer time.

13

COUNCIL MEMBER GENNARO: Thank you.  
14 And one last question. You and I have had this  
15 conversation before, because one of my concerns  
16 are what happens to horses when they're no longer  
17 able to provide the service needed of them either  
18 because of age or maybe it's just the horse is get  
19 a little tired and a little old. What kind of  
20 arrangements do you make and what kind of  
21 arrangements are generally made within the  
22 industry for the retirement of the horses, how  
23 does that play out?

24

CONOR MCHUGH: Well everybody who  
25 owns a horse is responsible for their horses, but

1  
2 in my case I have two horses that I've already  
3 retired out of this business. In both cases, they  
4 went to farms, both of them in Pennsylvania, where  
5 the owner of the farm promised to use the horse  
6 sparingly, little bit. It's very good for the  
7 horse to be still used and to have a purpose, but  
8 not to do a week's work or whatever. And the  
9 majority of carriage drivers and owners make those  
10 provisions for the horses that have given them  
11 good service.

12 COUNCIL MEMBER GENNARO: Thank you,  
13 thank you, thank you, Mr. McHugh, thank you to  
14 this panel.

15 CHAIRPERSON KOSLOWITZ: I'd like to  
16 call at this time, Natalie Reeves, Jannette  
17 Patterson, Edita Birnkrank, Brinkrant, Patrick  
18 Kwan, and John Phillips. We're going to have  
19 five.

20 [Long pause]

21 FEMALE VOICE: Hi, Patrick.

22 [Pause]

23 PATRICK KWAN: There's five of us.

24 FEMALE VOICE: There's five.

25 MALE VOICE: Five?

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PATRICK KWAN: They called five.  
[Off mic]

CHAIRPERSON KOSLOWITZ: You may  
start.

NATALIE REEVES: Good afternoon,  
I'm Natalie Reeves--

SERGEANT-AT-ARMS: Press the  
button.

FEMALE VOICE: It's not [off mic].

NATALIE REEVES: Good afternoon, my  
name is Natalie Reeves, and I'm here on behalf of  
the New York City Bar Association, Committee on  
Legal Issues Pertaining to Animals. I appreciate  
this opportunity to address the Introduction  
numbers 35 and 86. In previous years, the New  
York City Bar has urged the City Council to enact  
legislation to ban horse-drawn carriages in New  
York City. We believe that the outright ban of  
carriage horse rides is necessary due to the  
dangerous and harsh conditions inherent in driving  
carriage horses in congested New York City's  
streets and keeping horses in a crowded, urban  
environment. Therefore, we approve Introduction  
number 86, which will phase out licenses for

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2 carriage horses by May 31st, 2012.

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In addition to addressing our concerns about the welfare of animals, Introduction number 86 benefits the public in other ways: it establishes a new licensing program for antique replica show cars. The program will offer an alternative source of employment for persons currently working in the carriage horse industry, as well as a new tourist attraction. The Department of Health and Mental Hygiene and the ASPCA will no longer be required to devote scarce resources to monitoring the welfare of carriage horses. Taxpayers will be relieved of the burden of funding the water provided to the horses by the Department of Environmental Protection, and health and quality of life concerns relating to horse manure will be eliminated.

We note that Introduction 922010 includes specific provisions for the humane disposition of horses and we recommend considering incorporating provisions such as those into Introduction number 862010 to provide that the horses are humanely cared for after they cease

1  
2 working as carriage horses in New York City.

3 New York City Bar opposes  
4 Introduction number 35. Although some reforms  
5 have been proposed, the legislation fails to  
6 adequately address the most critical animal  
7 welfare concerns related to carriage horses.  
8 Horses are worked on severely congested streets  
9 and there have been numerous accidents involving  
10 people and horses in recent years.

11 MALE VOICE: Time's up.

12 NATALIE REEVES: For these reasons,  
13 we ask you to pass Introduction number 86 and  
14 reject Introduction number 35. I'd be happy to  
15 take questions. Thank you.

16 CHAIRPERSON KOSLOWITZ: I'm going  
17 to be the clock.

18 JOHN PHILLIPS: Hi, good morning,  
19 Chairwoman Koslowitz and members of the Consumer  
20 Affairs Committee, thank you for holding this  
21 important hearing today. I especially want to  
22 thank Council Member Viverito for her leadership  
23 on humane issues, and this bill in particular.

24 My name is John Phillips and I am  
25 Executive Director of the New York League of

1  
2 Humane Voters, the state's largest political  
3 organization for animals. I'm here today on  
4 behalf of our more than 20,000 members and  
5 supporters in New York City to urge this Committee  
6 to support Intro 86 and oppose Intro 35.

7 Intro 86 provides for a graceful  
8 and efficient transformation of the horse-drawn  
9 carriage industry in New York City. It proposes  
10 that over a period of three years, horse-drawn  
11 carriages be replaced with green-powered replica  
12 antique cars.

13 As my colleagues at the ASPCA and  
14 New Yorkers for Clean, Livable and Safe Streets  
15 have already pointed out, the beauty of our  
16 proposal is that it would be a win-win-win--the  
17 horses, the carriage industry, and the city would  
18 all benefit. No more suffering horses stuck in  
19 congested Manhattan traffic or poorly ventilated  
20 and rotting stalls. Safe, clean, high-paying  
21 union jobs for the drivers. Meanwhile, the city  
22 would become a leader in eco-tourism, at the same  
23 time taking a strong stand for animal welfare.

24 The industry's bill, Intro 35, is  
25 simply a rate increase bill. The so-called reform

1  
2 for the horses that is included as part of the  
3 bill is little more than political cover.

4 Further, a New York Post expose in November showed  
5 that the carriage industry regularly overcharges  
6 passengers by two to three times the rate set by  
7 law. It also laid bare other misdeeds by the  
8 industry, such as illegally overcharging  
9 customers--I'm sorry, illegally charging per  
10 customer instead of per ride and covering up rate  
11 cards on the side of their carriages that they are  
12 required to display their legally-mandated rates.

13 The fact is that the inalterable  
14 conditions of NYC streets and 21st century life  
15 make reform of this industry impossible. The only  
16 humane option is to eliminate these carriages  
17 entirely and retire the horses to sanctuaries.  
18 This is the last line--we believe a rate increase  
19 now, especially given the incredible controversy  
20 surrounding this industry, would send the wrong  
21 message. Our organization is committed to working  
22 together with the Council and the industry to make  
23 Intro 86 a reality, at long last allowing these  
24 horses to live lives free of torment. Thank you  
25 for your time.

1  
2 JANNETTE PATTERSON: Good morning,  
3 my name is Jannette Patterson, and I'm  
4 representing People for the Ethical Treatment of  
5 Animals and more than our 25,000 members and  
6 supporters in New York. Please vote in favor of  
7 Intro 86, which will replace horse-drawn carriages  
8 with classic green horseless carriages. Horse-  
9 drawn carriages are dangerous for people and cause  
10 immense suffering and death for horses used in  
11 this outdated form of entertainment. Intro 86  
12 gives us the perfect solution to end the cruel use  
13 of horses while moving forward with a safer, more  
14 efficient mode of transportation for tourist  
15 rides.

16 Horses are allowed to work nine  
17 hours a day, seven days a week, often in extreme  
18 heat and cold. When their work is over, they are  
19 taken to multistoried warehouses on the far west  
20 side of the city--I used to live there, I saw  
21 them. This requires that the horses are driven  
22 down 9th Avenue, competing with dangerous, heavy  
23 traffic heading to the Lincoln Tunnel. Then they  
24 climb steep ramps into small stalls, which you've  
25 heard about today, without enough room to lie

1  
2 down. They don't get to turn out to pasture, to  
3 graze, or to interact with other horses, as they  
4 so love to do.

5 New York City has the highest  
6 accident rate for horse-drawn carriages in the  
7 country. Since 1994, 31 people have been injured  
8 and five horses have been killed on the streets--  
9 this doesn't count for the old age guys dying in  
10 their stalls. Horses suffer from respiratory  
11 ailments as they breathe in the exhaust fumes from  
12 vehicles only a few inches from their nose, they  
13 develop debilitating leg problems from walking on  
14 the hard city streets. New York City horses work  
15 an average of only four years before they're too  
16 broken down and lame to continue. Then they are  
17 shipped, many of them sold for slaughter to Mexico  
18 and Canada. You want the details for that, see me  
19 later.

20 In August 2007, New York City  
21 Comptroller released an audit concluding that the  
22 horse-drawn carriages do not have ready access to  
23 water, no shade during hot weather, and stand in  
24 pools of their own waste.

25 As anyone who knows horses will

1  
2 tell you, horses are not suited for life in a  
3 congested city. Horse-drawn carriages have been  
4 banned in major cities around the world, including  
5 Paris, London, Beijing and many cities in the  
6 U.S., and guess what, they still have tourists.  
7 New York City needs to make the progressive,  
8 compassionate, and practical decision to move away  
9 from suffering horses to the clean horseless  
10 carriages.

11 Please support Intro 86. Thank  
12 you.

13 EDITA BIRNKRANT: Hello, good  
14 afternoon, Council, I'm Edita Birnkrant, New York  
15 Director of Friends of Animals, an international  
16 advocacy organization incorporated in New York  
17 City in 1957 with many thousands of New York  
18 members. I also co-founded the Coalition to Ban  
19 Horse-Drawn Carriages.

20 We endorse Council Member Palma's  
21 bill, Intro 92. More than 200 carriage horses  
22 live a chaotic and sometimes deadly existence in  
23 our city. When they can no longer be exploited  
24 for profit, they are auctioned off. Intro 92  
25 would end this.

1  
2 We oppose Council Member Gennaro's  
3 Intro 35, which provides a rate increase for  
4 drivers, despite their routine violations of the  
5 law by overcharging customers.

6 Council Member Mark-Viverito's  
7 Intro 86 would replace the industry with antique  
8 cars. This innovative concept, to have our  
9 support, needs added language, as in Intro 92,  
10 that would have the horses go to a sanctuary  
11 rather than end up being auctioned or slaughtered,  
12 and we support the idea of merging both bills.

13 Using horses as vehicles is no  
14 longer considered quaint, as evidenced by the  
15 major cities worldwide that have discontinued the  
16 habit or are experiencing outcries against it.  
17 New York City should lead by a humane and  
18 respectful example.

19 Our New York members and supporters  
20 urge this Committee to vote for Intro 92.

21 I also would like to add a few  
22 words from a consultant to Friends of Animals,  
23 Holly Cheever, who is a world-renowned equine  
24 veterinarian and spent several years inspecting  
25 New York City carriage horses on the street and in

1  
2 the stables. She says, to begin with, I would  
3 like to state unequivocally that I don't believe  
4 that horse-drawn carriages and motor vehicles  
5 should share the same roadways due to the  
6 distressing history of injuries and death, both  
7 equine and human, that have occurred across the  
8 country due to carriage horse collisions.

9           New York City has inherent  
10 characteristics that make the safe handling of  
11 urban carriage horses impossible. In addition to  
12 the stressors, dangers, and welfare concerns cited  
13 above, the problem of disposing of the horses once  
14 they have outlived their useful lives has always  
15 been a problem for the industry. Too many horses  
16 were sold back to the horse auctions killer sales  
17 so that the last bit of income could be squeezed  
18 from them.

19           Thank you.

20           PATRICK KWAN: Thank you to the  
21 members of the Consumer Affairs Committee for this  
22 opportunity for The Humane Society of the United  
23 States to testify at this hearing in support of  
24 Intro 86 and 92, and in opposition to Intro 35.  
25 I'm Patrick Kwan, New York State Director for The

1 Humane Society of the United States.

2  
3 With 11 million members and  
4 supporters, including over 217,000 New York City  
5 residents, the Humane Society of the United States  
6 is the largest animal protection organization in  
7 the nation, working to build a more humane society  
8 by celebrating animals and confronting cruelty.  
9 Our New York office is located near Central Park  
10 South where we witness firsthand every day how  
11 mixing horses and city traffic are an inhumane and  
12 dangerous combination.

13 Despite current laws, carriage  
14 horses often work in oppressive and inhumane  
15 weather conditions, including in the sweltering  
16 heat and extreme cold. And carriages often  
17 operate in icy, dangerous, and slippery conditions  
18 where they pose a hazard to the public and compete  
19 in traffic with emergency vehicles.

20 The status quo is not protecting  
21 the lives and the welfare of the horses, drivers,  
22 tourists, or New Yorkers. It's also been two and  
23 a half years since the former comptroller released  
24 an independent audit documenting the inhumane  
25 conditions carriage horses live and work in. The

1  
2 report found horses are not provided with enough  
3 water, lack protection from the elements, and are  
4 forced to stand in their own waste.

5 But meeting these most basic of  
6 needs is just the beginning. Horses deserve  
7 better treatment than to be forced to work in  
8 dangerous traffic conditions every day, and often  
9 in harsh weather, where their lives and welfare  
10 are threatened and the safety of pedestrians and  
11 drivers are put at risk.

12 The Humane Society of the United  
13 States echoes our support for Intro 92 from past  
14 hearings for an immediate end to the inhumane  
15 treatment of horses. We also urge the City  
16 Council to support Intro 86 to create a more  
17 humane industry by phasing out the horse carriages  
18 and replacing them with eco-friendly antique show  
19 cars while creating better paying jobs and work  
20 conditions for New Yorkers. Thank you.

21 CHAIRPERSON KOSLOWITZ: And thank  
22 you all--oh, I'm sorry. Council Member Gennaro  
23 has a question.

24 COUNCIL MEMBER GENNARO: Thank you,  
25 Madam Chair. I got to point something out, all

1  
2 the organizations that sit on this panel but one  
3 are bona fide legitimate groups and I welcome your  
4 testimony and I'm happy to consider it and you  
5 came here in the spirit of good faith and that's  
6 fine. Now one organization, the League of Humane  
7 Voters, Mr. Phillips, I am so surprised to see you  
8 here under the banner of the League of Humane  
9 Voters because the League of Humane Voters has  
10 been declared guilty of illegal lobbying, you  
11 never registered as a lobbyist, your organization,  
12 and you owe the city clerk \$104,290 and how dare  
13 you come before this Council when your  
14 organization--

15 [background noise]

16 COUNCIL MEMBER GENNARO: No--

17 JOHN PHILLIPS: May I answer?

18 COUNCIL MEMBER GENNARO: --your  
19 organization is operating outside the law--

20 JOHN PHILLIPS: Can I answer?

21 COUNCIL MEMBER GENNARO: --and how  
22 dare your organization come here and lecture this  
23 Council about the law. All of these other  
24 organizations are completely legitimate, whether  
25 they're lobbyists or not, they're like bona fide,

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your organization is not bona fide, you owe \$104,000 to the city clerk, you haven't paid it, and I think you're in deeper trouble by showing up here today after you've been cited with owing \$104,000. You should leave this building--

JOHN PHILLIPS: Can I answer?

COUNCIL MEMBER GENNARO: --you shouldn't be here, lobbying outside the law, you're getting yourself deeper into trouble--

JOHN PHILLIPS: Can I answer?

COUNCIL MEMBER GENNARO: --and I'm shocked that you're here today.

[Off mic]

JOHN PHILLIPS: May I answer? I'd like to address that. Actually, the fine that you're talking about was levied against the League of Humane Voters of New York City, I'm here representing the New York League of Humane Voters, so I can't speak to your point.

COUNCIL MEMBER GENNARO: So what is the relationship between the organization that you're speaking for now and the organization that--

-

JOHN PHILLIPS: [Interposing] There

1  
2 is no relation.

3 COUNCIL MEMBER GENNARO: There is  
4 no relation. So the League of Humane Voters for  
5 New York City and the League of Humane Voters for  
6 New York, same logo and everything has like  
7 nothing to do with each other.

8 JOHN PHILLIPS: We are not related  
9 to the League of Humane Voters for New York City.

10 COUNCIL MEMBER GENNARO: While this  
11 is unfortunate, I think that the illegal  
12 activities of the League of Humane Voters--

13 JOHN PHILLIPS: [Interposing] But  
14 if you check the city clerk website, you'll find  
15 that I'm a registered lobbyist and I actually  
16 completed--

17 COUNCIL MEMBER GENNARO:  
18 [Interposing] The League of Humane Voters of New  
19 York City owns--

20 JOHN PHILLIPS: --I actually  
21 completed my filing yesterday--

22 COUNCIL MEMBER GENNARO: --the  
23 League of--

24 JOHN PHILLIPS: --for the March  
25 15th deadline.

2 COUNCIL MEMBER GENNARO: --the  
3 League of Humane Voters--

4 [Crosstalk]

5 CHAIRPERSON KOSLOWITZ:  
6 [Interposing] You know what--

7 COUNCIL MEMBER GENNARO: --New York  
8 City owes--

9 CHAIRPERSON KOSLOWITZ: --I really-  
10 -

11 COUNCIL MEMBER GENNARO: --the City  
12 of New York \$104,000, that should be paid.

13 JOHN PHILLIPS: The League of  
14 Humane Voters of New York City and--

15 [Crosstalk]

16 CHAIRPERSON KOSLOWITZ:  
17 [Interposing] And I really think that--

18 COUNCIL MEMBER GENNARO: --Humane  
19 Voters of New York State to employ you in this  
20 capacity when you represent and when, you know,  
21 you were the public face of that organization that  
22 owes \$104,000, I think that's shameful. Anyway,  
23 that's my comment.

24 [Crosstalk]

25 CHAIRPERSON KOSLOWITZ: Okay.

1  
2 Let's move on. Okay. Next group of people,  
3 please. Charleen Feeney, Peter Wilson, Jesus--

4 FEMALE VOICE: Rojas.

5 CHAIRPERSON KOSLOWITZ: --Rojas,  
6 and Edward Callaghan.

7 MALE VOICE: Just take a seat.

8 SERGEANT-AT-ARMS: If you have any  
9 copies of your statements, please have them ready  
10 when you come up, thank you.

11 [Long Pause]

12 CHAIRPERSON KOSLOWITZ: You may  
13 start. I called four names.

14 [Off mic]

15 CHAIRPERSON KOSLOWITZ: Someone  
16 left, okay. Please.

17 CHARLEEN FEENEY: Okay. Good  
18 afternoon, members of the Consumer Affairs  
19 Committee. My name is Charleen Feeney, and I'm  
20 the wife of Stephen Malone, the Executive Director  
21 and Treasurer of the Horse Carriage Association of  
22 New York, carriage driver, and owner.

23 As those who have spoken before me,  
24 I strongly agree with the long overdue fare  
25 increase for our industry. There needs to be a

1  
2 cost of living adjustment just as any licensed  
3 business needs. I am also a licensed clinical  
4 social worker and, more importantly, a proud  
5 mother of three sons. My husband is my sons' idol  
6 and are fascinated by horses and what my husband  
7 does for a living. Each year they have him speak  
8 at their schools on career day and also insist  
9 that each of their teachers receives a free  
10 carriage ride at the end of the school year. No  
11 trip to the city would be complete if they don't  
12 go to the stable or drive by the horses. They  
13 have a pure and untainted love for these animals.  
14 Children are sponges and learn first and foremost  
15 what they see from their parents.

16 As a licensed clinical social  
17 worker, I advocate for the poor, underprivileged,  
18 sick, needy, and inhumanely treated. Ethically  
19 and morally, I could never be married to or  
20 support a man I believe mistreated any living  
21 creature.

22 The constant barrage of negative  
23 publicity has done irreparable harm to the  
24 families of this industry. My husband spends many  
25 hours fighting to save his beloved industry and

1  
2 little time actually working in the last two  
3 years. It has put a tremendous strain on our  
4 marriage and family psychologically and  
5 financially.

6 In 1998, we were two young people  
7 struggling to get through college, get an  
8 education, didn't have a care in the world. Today  
9 we have a beautiful family and all the bills that  
10 go along with it--we have a mortgage, car  
11 insurance, home insurance, electricity, cable  
12 bills, grocery bills, and three growing boys, we  
13 cannot afford all of this as well as all the  
14 business expenses that go along with operating a  
15 carriage business in New York.

16 In closing, I would like to say  
17 that this is a generation of change and you should  
18 get on board because this industry will no longer  
19 be defamed, criticized, and unfairly depicted  
20 through a barrage of lies. Thank you for your  
21 time and support and the opportunity to speak on  
22 the behalf of this industry and please support  
23 Intro 35.

24 PETER WILSON: Good afternoon, all  
25 members of Consumer Affairs Committee, I want to

1  
2 thank you for allowing me to testify. My name is  
3 Peter Wilson, I'm a member of the Carriage  
4 Association of New York and a proud Teamster  
5 Member of Local 553.

6 I have been a part of the horse  
7 carriage family for the past four years. I humbly  
8 testify before you today to urge you to support  
9 Intro 35 and provide our industry with an  
10 exceedingly reasonable fare increase.

11 In this time of economic hardship  
12 and people being laid off everywhere, you'd think  
13 this would be a chance for you to provide our  
14 industry a chance to survive. Unlike other  
15 businesses, we are not asking for a handout to  
16 continue to stay in business, we are merely asking  
17 you to increase our rate so that we can continue  
18 to pay our rent under the--excuse me--under the  
19 out-of-control living expenses. This increase is  
20 imperative for me to provide a decent living for  
21 me, my wife, and children.

22 Lastly, I implore you to support  
23 Intro 35 and do so to provide me and my family a  
24 lot of economic relief during these extremely  
25 harsh times.

1  
2 I just want to thank you, members  
3 and Committee for allowing me to testify today and  
4 on behalf of the Horse and Carriage Association.

5 CHAIRPERSON KOSLOWITZ: Thank you.

6 JESUS ROJAS: Good afternoon,  
7 Chairwoman Koslowitz and Members of the Consumer  
8 Affairs Committee. My name is Jesus Rojas and I  
9 have been part of a horse and carriage family for  
10 the past five years. I started as a member of the  
11 horse and carriage clean-up crew, my job entailed  
12 sweeping hack-lines where horses wait for fares,  
13 as well as the loop in Central Park where they  
14 operate.

15 I come from Mexico, where I was  
16 raised with horses. My passion as a young boy was  
17 to work with the horses. As a young teen boy my  
18 dream was to come to America. As it has turned  
19 out, I am living my dream by operating a horse and  
20 carriage in New York. I take great pride in the  
21 job that I do and service that I provide each day.

22 I respectfully and graciously ask  
23 for your support of Intro 35. Support of this  
24 bill will enable me to continue to live in this  
25 city and keep my dreams and hopes alive. It is

1  
2 necessary for the committee to understand that the  
3 rising costs of rent and every day living expenses  
4 are making it nearly impossible to survive under  
5 the current rates that have been in place since  
6 1989.

7 I would like to thank you all for  
8 allowing me to testify before you today. Thanks.

9 CHAIRPERSON KOSLOWITZ: Thank you,  
10 and thank--

11 [Crosstalk]

12 FEMALE VOICE: --has a question.

13 COUNCIL MEMBER GENNARO: Thank you,  
14 Madam Chair. Thank you all for your testimony. I  
15 just have a very brief statement. My office has  
16 just gotten some information--this is not relevant  
17 to your testimony--that Mr. Phillips and the  
18 League of Humane Voters is listed in records as a  
19 director of both the New York City League of  
20 Humane Voters which owes \$104,290, and he's also  
21 the director of the New York League--the New York  
22 League of Humane Voters. And I think it would be  
23 appropriate in the future, Madam Chair, to vet  
24 people who come before this and all Council  
25 Committees, lobbyists, to make sure that they

1  
2 don't go out of business in one hat and come up in  
3 some other hat because, as far as I'm concerned,  
4 any lobbyist that owes the City \$104,000 and  
5 hasn't paid that debt should not be able to come  
6 before this Committee in any other capacity. And  
7 Mr. Phillips registered as a lobbyist with the  
8 City of New York yesterday so--

9 JOHN PHILLIPS: No, we didn't.

10 COUNCIL MEMBER GENNARO: --thank  
11 you.

12 [Pause]

13 CHAIRPERSON KOSLOWITZ: Thank you  
14 very much. I want to make an announcement that  
15 Dany Cunningham will be submitting testimony, he's  
16 from Prospect Park Community Committee, he had to  
17 leave. Next panel is Walker Blankinship, Jessica  
18 Dasch, Sasha Herman, and Michelle Herman.

19 [Off mic]

20 MALE VOICE: This is the  
21 announcement about the hearing [off mic].

22 CHAIRPERSON KOSLOWITZ: Oh, I also  
23 want to make an announcement that the  
24 Transportation Education Committee hearing has  
25 been moved to the 16th floor hearing room at 250

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Broadway. So if anybody's here for that meeting--

FEMALE VOICE: You go first--

[Crosstalk]

CHAIRPERSON KOSLOWITZ: --it's

moved across the street to 250 on the 16th floor.

[Off mic]

[Pause]

CHAIRPERSON KOSLOWITZ: Okay.

[Crosstalk]

FEMALE VOICE: --reading the

testimony [off mic].

WALKER BLANKINSHIP: My name is

Walker Blankinship, I've been President of

Kensington Stables serving Prospect Park for 17

years.

It has been my goal to preserve

horseback riding at Prospect Park. My reasons

have been two-fold., the first is to preserve

history. Prospect Park was created in many ways

only to be enjoyed by horses and from carriages.

By preserving this history, I remind people that

horses have lived with us and worked with us to

build the city that we see today.

The second reason is to provide the

1  
2 least expensive riding to the public and give  
3 children and adults the opportunity to build  
4 lasting bonds with horses and ponies and develop  
5 compassion for animals.

6 Accomplishing these goals has been  
7 expensive and has caused myself and my family a  
8 lot of financial hardship. The only compensation  
9 I have received is the joy of bringing horses into  
10 people's lives.

11 The changes to the stall sizes  
12 proposed by Introduction 35 would add so much to  
13 the cost of keeping horses in the city, I might be  
14 forced to close. If I can remain open, riding for  
15 the public would be much more expensive and the  
16 availability of horses would decrease.

17 When I first started running the  
18 stables, I admit that I just continued the horse  
19 management as it always had been done. Because I  
20 have a love of science and I care about my horses'  
21 health, I have collected information on the  
22 science of horse care. What that shows is that  
23 what a horse wants in housing is counterintuitive  
24 to what a person would want. The slip or tie  
25 stalls provide a safe feeling environment where

1  
2 the horse can be close to their neighbors as they  
3 would stand in a pasture. With limited access to  
4 turn out, it is the socializing that can occur  
5 between large number of horses in their stalls  
6 that becomes an important quality of life issue  
7 for horses and an important safety issue for  
8 people. These bonds help keep horses together in  
9 busy public parks and enable riding stables to  
10 provide safer trail rides to beginner riders. A  
11 loose horse is a danger to the public at large.

12 Tie stalls have better ventilation  
13 without a fourth wall, allowing gases to escape  
14 more rapidly. This is especially important for  
15 ponies, whose lungs are closer to the ground. Tie  
16 stalls allow stable hands to constantly remove  
17 waste deposited by the aisle ways and thus  
18 maintain a more hygienic condition. Tie stalls  
19 also guarantee that a horse cannot eat and  
20 defecate in the same place. Furthermore, box  
21 stalls create a sense of isolation and can  
22 increase abnormal behaviors in horses.

23 What we need here is to amend Intro  
24 number 35 so that the carriage industry can adopt  
25 their suggested 8 by 8 box stall standard, while

1  
2 still allowing the needed flexibility for riding  
3 stables to use both tie stalls and box stalls to  
4 accommodate mini horses and Clydesdales for  
5 beginners to professional riders. Let's make it a  
6 good law.

7 CHAIRPERSON KOSLOWITZ:

8 [Interposing] And now you have to--yeah, I'm  
9 sorry, we have to keep--we have so many people  
10 that have to testify, you have to keep it to the  
11 two minutes. Thank you. Next.

12 JESSICA DASCH: Hi, my name is  
13 Jessica Dasch, I'm an instructor at Kensington  
14 Stables, and here I have Sasha is was one of my  
15 students. And at Kensington Stables we teach  
16 children to learn how to respect and care for  
17 animals and care for each other.

18 And Sasha rides Snickers, which  
19 she'll tell you about, I'm sure. And he's in a  
20 straight stall and he can see his neighbor, Fudge,  
21 and that's very healthy for animals. So we have a  
22 horse named Rocky, which is blind and he relies on  
23 his neighbor for comfort, and a while ago we tried  
24 to put him in a box stall, which turned out to be  
25 very hazardous to his health, he tried to actually

1  
2 climb out of the stall. And in that case, it was  
3 worse.

4 I also would like to say that I'm  
5 for the carriage rate increase, I think it's very  
6 important because the cost of horses has just gone  
7 up so much, everything has, I'm sure, more than  
8 doubled. And thank you for letting me speak here.

9 CHAIRPERSON KOSLOWITZ: Next.

10 SASHA HERMAN: Hi, my name is Sasha  
11 Herman, I'm 11-years-old and take lessons at  
12 Kensington Stables. When I take my lessons at the  
13 stable I come in early to get ready. I see the  
14 horses of Kensington Stables very often, and they  
15 and I are also happy to be doing what we do  
16 together. Everyone that is a part of the stable  
17 is not just part of a business, but part of a  
18 family--children, teenagers, adults, and most  
19 importantly, the horses. Even a few seniors  
20 citizens have dedicated a life to the horses of  
21 the stable.

22 I know that each horse is loved by  
23 every member of this unique place. I met my two  
24 best friends at Kensington Stables--Sierra and  
25 Katia. Sierra loves Merlin deeply, as does Katia

1  
2 to Butterscotch. I myself even love a pony named  
3 Snickers.

4           Just this Sunday, my lovely  
5 instructor Jessica Dasch and I went on a trail  
6 ride through Prospect Park. I rode one of the  
7 sweetest horses named Genie. Jessie was on her  
8 thoroughbred, a beautiful, young, dappled, shiny,  
9 well taken care of horse named Harley. It was  
10 warm and sunny. In the park there were some  
11 children that have never seen a horse in their  
12 life and as we passed they stopped and stared,  
13 smiling. Imagine taking this away from other  
14 children that might never see a horse in their  
15 life just because they happen to live in the city.  
16 I don't know what I would be able to do knowing I  
17 would never have another one of those amazing  
18 rides in the beautiful historic Prospect Park.

19           These are the people that have  
20 worked and cared for these horses all their lives.  
21 They take the time to devote themselves to doing  
22 what's best for these horses. Every horse is  
23 unique, as is every person. Each horse needs  
24 their own individual care from the people that  
25 have worked with them all these years. Those are

1  
2 the people and kids of Kensington Stables. Thank  
3 you.

4 MICHELLE HERMAN: I want to thank  
5 the Council for letting me and my daughter be a  
6 part of this process, and we trust in the Council  
7 because I lived in New York all my life, and I  
8 love what has happened to my city and I value it  
9 very much.

10 Sasha has a cousin named Kyra who  
11 lives in the country and Sasha lives in the city.  
12 And Sasha gets out of the house at 6 a.m. in the  
13 morning, runs up 4th Avenue with the careening  
14 cars, goes to 4th Avenue and 9th Street, up the  
15 subway stairs to get to school. Her cousin, on  
16 the other hand, takes a yellow school bus, very  
17 sterile, in my opinion. My daughter's life is  
18 different than her cousin Kyra's life, as are the  
19 horses that she loves.

20 After school, Sasha will take the F  
21 train, not to 4th Avenue, but to Fort Hamilton.  
22 From Fort Hamilton, Sasha walks to Caton Avenue,  
23 over where there's a small, hidden, quaint corner  
24 that makes you feel like you stepped back in time.  
25 There is a proud wooden sign that quaintly

1  
2 announces you arrived at Kensington Stables. This  
3 is a sweet warm place, you can feel it. Always a  
4 person to say hello, a pony ride, or Ryka with her  
5 gaggle of young student who lets them hang around  
6 to learn the art of proper horse care. Ryka is a  
7 legend in our neighborhood.

8           Jessie and Sasha groom their horses  
9 and pick a horse that will be good for their  
10 lesson or ride. They ride through the most  
11 amazing park in the world. People come from all  
12 over the world to see this.

13           I trust the city Council to teach  
14 my daughter about the best part of this city and  
15 that her pony will keep his home here and I will  
16 not have to explain the alternative 'cause I don't  
17 think I can. We love Snickers, we think he's  
18 beautiful, but I don't know if anybody else would.  
19 Thank you.

20           JOHNNY TORRES: Hello, my name is  
21 Johnny Torres, I'm speaking on behalf of Dany  
22 Cunningham, the Chairman of the Prospect Park  
23 Committee--I mean Community Committee, also known  
24 as the ComCom.

25           The Prospect Park ComCom was

1 specifically created to involve the local  
2 community in Prospect Park's management  
3 operations. The ComCom involves the local  
4 community in--wait, sorry, the ComCom consists of  
5 representatives of more than 50 local  
6 organizations, as well as all the elected  
7 officials, federal, state, and the city, and  
8 Community Board that represent the park and the  
9 surrounding districts. The ComCom takes an active  
10 advisory and advocacy role representing the  
11 interests of Prospect Park users in the community  
12 while making recommendations for the function and  
13 future of Prospect Park. The ComCom meets monthly  
14 with the exception of December, July, and August,  
15 to discuss relevant issues of Prospect Park  
16 management, dog rules, garbage, and recycling  
17 policies, park drive, hours that are open to cars,  
18 and review all capital plans, programs, and have  
19 regular discussion with city agencies.  
20

21 Dany Cunningham would like to state  
22 that he appreciates the opportunity to testify on  
23 behalf of Prospect Park ComCom and on Introduction  
24 35. The ComCom strongly believes that the  
25 proposed amendments are far too harsh and will

1  
2 require large financial burden for the stables,  
3 which will result in them being forced to close.  
4 We are specifically concerned about Kensington  
5 Stables--the last remaining stable in Brooklyn,  
6 which is located near the southwest corner of  
7 Prospect Park and an active member of the Prospect  
8 Park ComCom.

9                   Horseback riding has a long  
10 tradition in Prospect Park, almost 150 years old,  
11 providing horses for rent, riding classes for all  
12 levels, pony rides, and parties. With a 3 1/2  
13 mile bridle path through the scenic and varied  
14 terrain in Prospect Park, many Brooklynites are  
15 first introduced to all parks offers from a  
16 horseback ride with Kensington Stables is a  
17 popular recreation activity that many kids and  
18 adults of all ages participate in. In addition,  
19 it's fun for other parks users to see horses in  
20 the park. It is important that they learn to be  
21 comfortable around them. As you can see, horses  
22 are an important component to Prospect Park and we  
23 very much want our 150-year tradition to continue.

24                   We are concerned that the  
25 requirements such as box stalls would place a

1 large financial burden onto Kensington Stables.  
2 Box stalls are considerably larger than the  
3 straight stalls currently in place. Thank you.

4 CHAIRPERSON KOSLOWITZ: Thank you.

5 JOHNNY TORRES: You're welcome

6 CHAIRPERSON KOSLOWITZ: Thank you  
7 very much and I want to thank the panel very much  
8 and especially Sasha, thank you.

9 [Applause]

10 CHAIRPERSON KOSLOWITZ: Only for  
11 that can you applaud. Okay. I'd like--

12 COUNCIL MEMBER GENNARO: Oh, I  
13 just--

14 MICHELLE HERMAN: Do they want to  
15 ask us questions?

16 JOHNNY TORRES: Oh yeah, questions.

17 CHAIRPERSON KOSLOWITZ: Council  
18 Member Lander.

19 COUNCIL MEMBER LANDER: I just want  
20 to thank you all for coming out to testify and  
21 thank the Chair for making it possible. There's a  
22 few more people from Kensington Stables here who  
23 will testify in turn, but there are dozens and  
24 dozens more in the community who have the same  
25

1  
2 point of view, and it's great for you to come  
3 represent them and thank you very much.

4 JOHNNY TORRES: Thank you.

5 MICHELLE HERMAN: Thank you.

6 COUNCIL MEMBER GENNARO: Yes, and  
7 I'd like to say that Kensington Stables has a  
8 great Councilman in Council Member Lander, he's  
9 been a great advocate for you. The bill section  
10 that you're talking to is Intro 35, which is my  
11 bill. As you heard today, the City Department of  
12 Health, the ASPCA, everyone seemed pretty fine  
13 with this concept.

14 I've been riding for 44 years,  
15 Sasha, since I was eight, and so you're doing the  
16 right thing and getting to know horses. And my  
17 parents used to when they were just keeping  
18 company they used to go on dates along the bridle  
19 path and ride horses out of Kensington. So I  
20 don't really see any problem with making the  
21 proper judgment so that Kensington can do what it  
22 does so well. Thank you for coming today.

23 MALE VOICE: Thank you.

24 JESSICA DASCH: Thank you.

25 CHAIRPERSON KOSLOWITZ: Thank you.

1  
2 Cherryl Mitchell, Giuseppe Cirnigliaro--I know I  
3 ruined that one--Gareth Smith, Pat Mullaney.

4 [Off mic]

5 CHAIRPERSON KOSLOWITZ: Anyone here  
6 for the Education and Transportation hearing, it  
7 has been moved across the street to 250 Broadway  
8 on the 16th floor.

9 SERGEANT-AT-ARMS: Ladies and  
10 gentlemen, please take your conversations outside-

11 -

12 [Crosstalk]

13 SERGEANT-AT-ARMS: --conversation  
14 outside, thank you.

15 CHAIRPERSON KOSLOWITZ: Okay. You  
16 may begin.

17 [Off mic]

18 [Pause]

19 CHAIRPERSON KOSLOWITZ: You can  
20 begin, please.

21 GARETH SMITH: Oh, I'm sorry.  
22 Hello, my name is Gareth Smith and I'm a licensed-  
23 -oh.

24 CHAIRPERSON KOSLOWITZ: It was on.

25 GARETH SMITH: Oh, it was on?

1  
2 Hello? My name's Gareth Smith and I'm a licensed  
3 horse-drawn carriage driver in the city of New  
4 York, I have been for about four years, getting my  
5 license in May of 2006. I'm here in support of  
6 Intro 35 for a rate increase for the carriage  
7 drivers.

8                   It's been 21 years since we  
9 received our last rate increase, which occurred in  
10 1989, the rate was increased from \$17 to \$34.  
11 Since then, over the last 21 years the rate of  
12 inflation would put a ride at--I'm sorry, I'm very  
13 nervous--would put the ride at \$58 if it increased  
14 along the rate of inflation over that time. We're  
15 only asking for \$50 for that ride, that the ride  
16 be \$50 for 20 minutes and then \$20 each additional  
17 10 minutes after that. Currently, a carriage ride  
18 in New York is cheaper than anywhere in the United  
19 States.

20                   In Paris, France, a carriage ride  
21 costs €150 for an hour, which translate to be a  
22 little over \$200 in U.S. dollars for an hour. Now  
23 I know you heard earlier that Paris, France,  
24 didn't have carriage rides, it's not true, they do  
25 have them there, they have had them there for a

1  
2 few years. In Philadelphia, it's \$60 for a half-  
3 hour ride on a horse and carriage.

4 The proposal for the electric car  
5 has a ride of four people for an hour costing  
6 \$160. The pedicabs in Central Park are not  
7 regulated in any way for what they charge for a  
8 ride and typically four people traveling through  
9 the park for 45 minutes are charged about 100 to  
10 \$120. We're asking for much lower than that,  
11 we're just asking for \$50 for a 20-minute ride,  
12 \$90 for a 40-minute ride through the park.

13 Just to speak to the subject of  
14 cruelty from--oh, my time is almost up. Thank  
15 you.

16 CHAIRPERSON KOSLOWITZ: Thanks for  
17 being considerate. Next.

18 CHERRYL MITCHELL: Hello, I'm  
19 Cherryl Mitchell, owner and operator of Richer  
20 Farm in Staten Island, the least last breeding  
21 farm in the city of New York. I'm also the  
22 Southeast Vice President in the New York State  
23 Horse Council.

24 Unfortunately, there has been  
25 collateral damage while the carriage horse

1  
2 industry has been on a relentless attack by animal  
3 activists. The riding horse and the boarding  
4 horse stables have also been collateral damage.  
5 There needs to be--and I ask this Chair and all  
6 our Councilmen to separate riding horses from  
7 carriage horses, boarding stables and such.

8 As I as an advocate, as my  
9 Councilman Vincent Ignizio also knows that back in  
10 1996, we separated private horse stables so they  
11 too, because on the average of the last 20 years  
12 in Staten Island, which had the richest horse  
13 industry and acknowledgment, as the world  
14 equestrian games are going to be here this year,  
15 we are down from 75 stables to four. With these  
16 regulations, this now has to end. Thank you for  
17 your time.

18 [Pause]

19 GIUSEPPE CIRNIGLIARO: Is it on?  
20 Okay. Good afternoon, members of this Committee,  
21 my name is Giuseppe Cirnigliaro, I'm a former  
22 candidate for New York State Senate, and a  
23 candidate for the Italian parliament. I'm a  
24 graduate of Columbia University and I hold a juris  
25 doctor degree with Paterson, together we graduated

1

2 from Hofstra Law.

3

4

5

6

7

8

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10

It is incredible that we are here today dealing with this particular problem to increase the fare. I just came back from the Caribbean, they charge \$75 for the first 20 minutes for a couple, 15 every additional person, that makes \$105 per ride, and as soon as we get off from the ship we all take rides and we all love it and we say thank you.

11

12

13

14

15

16

17

It is not true, most of the countries do have a horse and carriages all over the place. This is Roma, one of the most congested cities in the world, they have carriages all over the place, this is the Coliseum, and this is the Piazza Venezia where Mussolini used to make his speech to 100,000 people at a time.

18

19

20

21

And if they want to give this cars, electric car, sure, I have a 500 Fiats let me know when we gather once a year together and we'll do a Jacob Javits [phonetic], we have a reunion.

22

23

24

25

And if you talk about cold or hot, I've been upstate in the ranch, they ride under 0 degrees, I was cold and the horse was very hot and he was staying outside during the night. I went

1  
2 to Florida in the month of July and they're riding  
3 about 35 miles an hour and the weather is about 95  
4 degrees with humidity, cut the crap.

5           You guys are here, these people you  
6 have to see them in action, they are not animal  
7 lovers, I want to be human lover. We have to  
8 worry about the jobs, the Daily News has arrived,  
9 jobs for the people, we have to get it right.  
10 This other paper here, the editorial says Not Fit  
11 For an Animal, the priorities of this city, the  
12 state are mixed up. We've got to think about the  
13 jobs, we've got to think about the human beings,  
14 we've got to think about the families. People  
15 cannot get a job today, people cannot pay their  
16 mortgage, we've got to forget about this  
17 individual who are irrational, aggressive, and  
18 agitators. I see them in action, I've been to  
19 their meetings, and you have no idea what they are  
20 capable of doing.

21           Thank you very much, Members. I  
22 support Intro 35, and get rid of all the other  
23 bills because they are useless. This is the  
24 people that should be get a landmark, the horse  
25 and carriage should be a landmark because they are

1  
2 the best, the safest in the world, and I've been  
3 all over the place and I challenge anyone in this  
4 room.

5 COUNCIL MEMBER IGNIZIO: Thank you  
6 very much for you--

7 [Applause]

8 COUNCIL MEMBER IGNIZIO: Please--

9 SERGEANT-AT-ARMS: Keep it down.

10 COUNCIL MEMBER IGNIZIO: --please  
11 keep it down. Thank you very much, sir, for your  
12 testimony. Sir?

13 [Pause]

14 PAT MULLANEY: Good afternoon,  
15 Chairwoman Koslowitz and Members of the Consumer  
16 Affairs Committee. My name is Patrick Mullaney  
17 and I'm a proud number of the Teamsters Local 553  
18 and a licensed carriage driver for the past five  
19 years. I would like to thank you for the chance  
20 to appear here today.

21 I am here to respectfully urge you  
22 to support Intro 35 for a long overdue cost of  
23 living increase in our industry. Over the past  
24 five years I have taken great pride in working in  
25 such an iconic industry. Through my job, I have

1  
2 been able to fulfill many people's dreams of  
3 riding in a carriage through Central Park. The  
4 best part of my job is working with the horse.

5 I grew up in the west of Ireland  
6 and was raised on a farm where we had many horses,  
7 however, currently in Ireland there is a bad  
8 epidemic--excuse me, epidemic of abandoned horses  
9 because they're too expensive to keep them and  
10 provide them with a high quality of life.

11 And here in New York City, however,  
12 the horses have jobs, shelter, high-quality hay,  
13 rich grain, and proper supervision by all the  
14 agencies, but we need a rate increase, because  
15 expenses are rising at a record rate. And it is  
16 in your hands to provide our industry with a  
17 chance to upgrade and improve and so the horses  
18 can even have a better life than they already have  
19 by passing Intro 35. Thank you, Councilwoman  
20 Koslowitz and the Committee, for your time on this  
21 very important matter.

22 [Pause]

23 GIUSEPPE CIRNIGLIARO: Any question  
24 from the Committee? No, okay.

25 [Pause]

2 CHAIRPERSON KOSLOWITZ: I'd like to  
3 call Charleen Feeney, Elizabeth Tobier, Ardele  
4 Murphy, and Elizabeth Forel. [Pause] We may have  
5 to move across the street.

6 [Pause]

7 ELIZABETH TOBIER: Can I give you  
8 my testimony?

9 [Off mic]

10 ELIZABETH TOBIER: --and also I'm  
11 submitting this--

12 [Crosstalk]

13 CHAIRPERSON KOSLOWITZ: I just want  
14 to make an announcement, we're going to have to  
15 move the Committee hearing across the street to  
16 250 Broadway on the 16th floor. I'm very sorry  
17 for this, but the Education Committee also has  
18 many, many people that are testifying and there  
19 are 15 members on the Education Committee itself,  
20 so they're going to come here and we're going to  
21 go there.

22 FEMALE VOICE: This is the next  
23 panel, if people--

24 [Crosstalk]

25 CHAIRPERSON KOSLOWITZ: All right,

1  
2 so I'm going to call on who's going to be the next  
3 panel and they can start moving across the street  
4 so we can resume. That's Chao--

5 FEMALE VOICE: Chad--

6 CHAIRPERSON KOSLOWITZ: Chad  
7 Marlow--I should've known that--Giovanni Paliotta,  
8 Shawn Fay, and Stephen Hand, if you can move  
9 across the street, I'd appreciate it.

10 [Off mic]

11 FEMALE VOICE: Sixteen, 16.

12 CHAIRPERSON KOSLOWITZ: Sixteenth  
13 floor, 250 Broadway, I appreciate it. [Pause]  
14 They have other Committee hearings, they come in  
15 and they come out, and, yes, they will be joining  
16 us periodically, but whatever's said here today,  
17 they will know about.

18 [Off mic]

19 CHAIRPERSON KOSLOWITZ: No, no, no,  
20 I'm missing the Education meeting, I'm on that  
21 Committee.

22 [Off mic]

23 [Pause]

24 CHAIRPERSON KOSLOWITZ: Do this in  
25 an orderly fashion, everybody will be heard, and

1  
2 as soon as this panel is finished, I am going  
3 across the street. Thank you.

4 [Pause]

5 FEMALE VOICE: You can begin. You  
6 can go ahead.

7 ARDELE MURPHY: Oh, okay, okay,  
8 okay.

9 FEMALE VOICE: Go ahead.

10 ELIZABETH FOREL: I just want to  
11 say one thing.

12 [Pause]

13 ELIZABETH FOREL: I want to test  
14 that--

15 FEMALE VOICE: Here.

16 ELIZABETH FOREL: --here, but I'm  
17 just saying that--

18 [Pause]

19 ELIZABETH FOREL: Is this on? I  
20 feel it has not been fair, okay, because everybody  
21 else had a couple of extra seconds.

22 CHAIRPERSON KOSLOWITZ: Not  
23 everybody.

24 ELIZABETH FOREL: Well we noticed,  
25 okay. So may I continue?

2 CHAIRPERSON KOSLOWITZ: Yes--

3 ELIZABETH FOREL: Okay.

4 CHAIRPERSON KOSLOWITZ: --please--

5 ELIZABETH FOREL: My name is--

6 CHAIRPERSON KOSLOWITZ: --please

7 do. This is all--

8 ELIZABETH FOREL: Please don't--

9 [Crosstalk]

10 CHAIRPERSON KOSLOWITZ: --on

11 record, it's televised, so there are people that

12 are here, we're here, I'm here and I'm listening

13 and I'm hearing what you have to say.

14 ELIZABETH FOREL: Okay. Please

15 tell me when I can proceed. Now?

16 CHAIRPERSON KOSLOWITZ: You may,

17 yes.

18 ELIZABETH FOREL: Okay. My name is

19 Elizabeth Forel and I am President of the

20 Coalition to Ban Horse-Drawn Carriages. Our

21 organization represents thousands of New Yorkers

22 and tourists and more than 50,000 people from New

23 York City and over 55 countries who have signed

24 our petition to close down the horse-drawn

25 carriage industry in New York City because of

1 humane and public safety issues.

2  
3 Carriage horses do not belong in a  
4 congested city like New York and there's nothing  
5 that could be done to make this industry more  
6 humane or safe. We support Intro 92, the bill to  
7 ban the industry in its entirety because it  
8 meticulously and humanely addresses what will  
9 happen to the horses. We certainly understand the  
10 job issue, but would only support Intro 86, the  
11 classic car bill, if it did the same, but both  
12 this bill and Intro 35 continue to put the horses  
13 at risk to be sold at auction.

14 We also have questions about the  
15 length of phase out and exactly where the cars  
16 will work. We don't want them to be very close to  
17 the horses because that could cause them to spook.

18 The real reason for Intro 35 is to  
19 provide the drivers a raise, not to help the  
20 horses, everything else is window dressing. The  
21 new recommendation for stall size is too small by  
22 half according to the New York State Horse Health  
23 Assurance program, part of the State Department of  
24 Agriculture and Markets and other experts. How  
25 much better can you get than that?

1  
2 The recommended stall--sorry, they  
3 recommend stalls to be 12 by 12 feet for midsize  
4 horses and 14 by 4 feet for the larger draft  
5 breeds, yet only Intro 35 asks for a 64 square  
6 feet, which is less than half of what it should  
7 be. Is this humane? Horses must be allowed to  
8 lie down comfortably and stretch out with their  
9 legs fully extended. A critical need recommended  
10 by experts is daily turn out, or pasture time. As  
11 social herd animals, horses need to relax  
12 physically and interact with one another, so the  
13 five-week vacation does not cut it. It's very  
14 misleading. I'm almost finished. Horses are not  
15 machines, they need time to run, buck, roll, and  
16 play, to scratch themselves, stretch, and engage  
17 in mutual grooming, which is a great stress  
18 reducer.

19 Bottom line is that there's no way  
20 this horse-drawn carriage industry can exist  
21 humanely in New York. These horses live an  
22 existence that's survivable, but certainly not  
23 humane, and it's time to end it.

24 ELIZABETH TOBIER: My name is  
25 Elizabeth Tobier and I reside in Bay Ridge,

1  
2 Brooklyn. I am in support of Intro 92, which  
3 repeals all provisions allowing for the operation  
4 of horse-drawn cabs.

5 I oppose the carriage industry  
6 bill, Intro 35, which seeks to strengthen its  
7 stance as a legitimate industry, when in fact it  
8 is a business built on the backs of slaves, whose  
9 entire lives are being sacrificed. The horses  
10 work seven days a week, nine hours a day in all  
11 kinds of weather, are subjected to loud and sudden  
12 noises and exhaust fumes--all to benefit the  
13 carriage industry. They're given no opportunity  
14 to run around freely, forage, socialize, and be  
15 normal.

16 The true purpose of Intro 35 is to  
17 establish rate increases for drivers. According  
18 to the Coalition to Ban Horse-Drawn Carriages  
19 website at [banhdc.org](http://banhdc.org), at least six people have  
20 been hospitalized and three horses have died from  
21 carriage horse incidents in New York since 2006.  
22 If this bill succeeds, the hellish circumstances  
23 experienced by the horses and the risk of tragic  
24 accidents will continue.

25 Regarding Intro 86, which would

1  
2 establish a classic cars business to replace the  
3 carriage horses, I believe it would be smarter for  
4 the city to support and strengthen the existent  
5 pedicabs industry instead. Further, Intro 86 does  
6 not adequately specify the safe disposition of the  
7 horses, which leaves them vulnerable to being  
8 slaughtered or sold into an alternative slave  
9 condition. If Intro 86 is enacted, it will  
10 increase dangerous conditions on the streets for  
11 horses and humans during the remainder of the time  
12 when carriage horses are allowed.

13 Please everyone, go to the website  
14 for the Coalition to Ban Horse-Drawn Carriages and  
15 view the film "Blinders" by Donny Moss to learn  
16 more about why we need to safely retire all  
17 carriage horses at this time. Along with my  
18 testimony, I submit a copy of the film,  
19 "Blinders." Thank you.

20 ARDELE MURPHY: Good afternoon, my  
21 name is Ardele Murphy and I live in New York City.  
22 I am a proud member of the Coalition--

23 CHAIRPERSON KOSLOWITZ:

24 [Interposing] Is your mic on?

25 FEMALE VOICE: We can't hear you--

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2  
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CHAIRPERSON KOSLOWITZ: --Ardele--

ARDELE MURPHY: Oh, okay, it's not on?

FEMALE VOICE: It's on, you just need to--

[Crosstalk]

ARDELE MURPHY: Oh, okay. Good afternoon--is it on now?

FEMALE VOICE: Yes.

ARDELE MURPHY: Okay. Good afternoon, my name is Ardele Murphy and I live in New York City. I am a proud member of the Coalition to Ban Horse-Drawn Carriages and I support Intro 92, which is a total ban of carriage industry.

Horse-drawn carriages have been a problem issue for years. Most New Yorkers and many tourists want to see the industry end. I know this because we often table near the hack line gathering signatures for our petitions. We have always had an excellent response from passerby. Tourists come to New York City for the museums, theater, shopping and restaurants--very few come to take a ride in a carriage. Yet

1  
2 somehow, the industry has persuaded the  
3 administration that they are vital.

4           New York City is one of the most  
5 congested cities in the world, yet the city  
6 continues to allow these unsafe, slow moving  
7 carriages to mix with traffic. The horses work  
8 between the shafts of their carriages for nine  
9 hours straight, seven days a week only to go back  
10 to their multi-storied stables into stalls that  
11 are too small. Even with the Department of Health  
12 proposals and Intro 35, they will still be too  
13 small. It is clearly inhumane.

14           It has always amazed me that New  
15 York City officials cannot do better for its  
16 animal population. It makes New York City look  
17 behind the times, which is embarrassing for a city  
18 that prides itself in being number one.

19           I know that several members of this  
20 Committee have already signed onto the industry  
21 bill, which makes it look like the fix is in. But  
22 please listen to the people instead of  
23 questionable unions and politically connected  
24 industry. Please do the right thing for the  
25 horses and the people of New York City and pass

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Intro 92, it is past time.

[Pause]

CHAIRPERSON KOSLOWITZ: ..You very much and as I said, we're moving across the street, 250 Broadway on the 16th floor.

FEMALE VOICE: Are we going right over there now or--

CHAIRPERSON KOSLOWITZ: Right now, I just have to get my coat.

[END TAPE 1002 SIDE A]

[START TAPE 3 SIDE A]

CHAIRPERSON KOSLOWITZ: Okay?

MALE VOICE: Okay.

CHAIRPERSON KOSLOWITZ: We're going to resume the meeting, and thank you all for doing this, thank you. Okay. Start.

CHAD MARLOW: Good afternoon, my name is Chad Marlow and I'm--oh.

[Pause]

CHAD MARLOW: Looks good, okay. Good afternoon, my name is Chad Marlow and I'm President of the Public Advocacy Group. I am pleased to be testifying today on behalf of Chateau Stables, the oldest continually operating

1  
2 horse-drawn carriage stable in New York City.

3           There are presently four bills  
4 before this Committee dealing with the horse-drawn  
5 carriage industry. The best of these is Intro 35,  
6 which proposes numerous revisions to the laws  
7 regulating our industry. Intro 35, while not  
8 perfect, is a very constructive bill. It provides  
9 a good starting point from which to begin a  
10 dialogue about how to improve our industry, which  
11 we very much want. For example, we're very  
12 concerned that the rates horse-drawn carriages are  
13 permitted to charge have not been raised in over  
14 two decades. We are equally, if not more,  
15 concerned that a nongovernmental organization,  
16 namely the ASPCA, remains authorized to oversee  
17 our industry, even though it has been on the  
18 record since 2007 as supporting a total ban on  
19 horse-drawn carriages in New York. If that does  
20 not present a conflict of interest, I don't know  
21 what does.

22           I would like to briefly provide  
23 some background on the New York City horse-drawn  
24 carriage industry. Our industry has been in  
25 operation for over 150 years. When we started, we

1  
2 were essentially the taxi cabs of the 19th  
3 century. Over the years, as our operations have  
4 shifted towards events and tours, especially  
5 Central Park, our horse and carriage has become an  
6 iconic symbol of New York City. Movies and  
7 television shows set in New York City have  
8 regularly featured our images. In the 1940 film  
9 "Little Nelley Kelly," which was Judy Garland's  
10 first after The Wizard of Oz our carriages were  
11 featured, and as recently as last Tuesday, 10  
12 million Americans watched the CBS hit show "I Met  
13 Your Mother," as a couple began a super-date by  
14 riding off on one of our carriages. Even Frank  
15 Sinatra crooned that love and marriage go together  
16 like a horse and carriage.

17 I respectfully submit that Intros  
18 86 and 92 are not worthy of serious consideration.  
19 Banning horses and carriages from New York City is  
20 unthinkable. They would do great harm to the  
21 tradition and uniqueness of New York City.  
22 Eliminating horse-drawn carriages from our city  
23 would be like painting our taxis red,  
24 extinguishing the lights on the Empire State  
25 Building, or banning hot dog vendors from our

1  
2 streets. New York City has already lost one  
3 iconic symbol this century, let's not make it two.

4 Madam Chair, could I have like 30  
5 more seconds, I paused 'cause--

6 CHAIRPERSON KOSLOWITZ: No, really,  
7 really not.

8 CHAD MARLOW: Okay.

9 CHAIRPERSON KOSLOWITZ: We have a  
10 lot more people to testify.

11 CHAD MARLOW: Okay. Well I'll  
12 summarize with three sentences. One--

13 CHAIRPERSON KOSLOWITZ:  
14 [Interposing] One sentence.

15 CHAD MARLOW: Okay.

16 CHAIRPERSON KOSLOWITZ: One  
17 sentence.

18 CHAD MARLOW: All right. In our  
19 industry, no one cares for our horses more than we  
20 do and we take exceptionally good care of them so  
21 we hope that that will be considered by this  
22 Committee when they decide who best reflects the  
23 interests of the industry.

24 CHAIRPERSON KOSLOWITZ: Thank you.  
25 Next.

1  
2 SHAWN FAY: Hello, my name is Shawn  
3 Fay, I'm a horse-drawn carriage driver since 1991.  
4 I'd like to thank all of you here today for  
5 listening to us.

6 I ask you to support Intro 35, I  
7 don't believe the other three bills are worthy of  
8 consideration. To give you a brief, I'm from an  
9 agricultural background, I grew up in a farming  
10 environment, I used to milk 52 cows morning,  
11 night. I understand what animals are about and I  
12 understand the compassion and care that they need.

13 Intro 35 has improved regulations  
14 for horse and carriages that are very worthy of  
15 consideration. There is a justification for the  
16 fare increase when you consider that the last time  
17 we had it, as someone previously said, Reagan was  
18 president and the Berlin wall was still standing.  
19 When I started work, a subway was a dollar to  
20 work, I'd get 50 cents New York cup of coffee in  
21 most about any deli, everything has increased  
22 since. To provide better care for our horses, we  
23 need this increase, we need it because costs have  
24 gone up.

25 Intro 35 also has other very good

1  
2 valid improvements. The time off for horses, the  
3 five weeks vacation, which is a good idea. Most  
4 drivers, most owners here now already rotate their  
5 horses. The box stalls will be an improvement, I  
6 think, for carriage horses, for the larger ones.

7           And basically I can't understand  
8 why we have to come down here time after time  
9 after time again. There's an absolute lack of  
10 violations to justify any of the claims of animal  
11 abuse we've had. I find it very hurtful, I take  
12 great exception to the fact to be called an animal  
13 abuser. I take it in the same vein as if someone  
14 told me I battered my girlfriend or someone was  
15 battering their wife.

16           I think a lot of our opposition is  
17 basically led by a mix of West Side development  
18 people, the likes of Steve Nislick with Manhattan  
19 Mini storage; PETA, who take in 35 million a year  
20 and who euthanize 95 % of all animals they adopt,  
21 if you'd like further information on it I can give  
22 it to you. The League of Humane Voters, I don't  
23 know, that was like a moment from the Life of  
24 Brian, you didn't know whether it was the People's  
25 Front of Judea or the Judean People's Front.

1  
2 I'd like to thank you all for your  
3 time here. I'd like to strongly ask you to vote  
4 for Intro 35. Thank you very much.

5 [Pause]

6 GIOVANNI PALIOTTA: Good afternoon,  
7 Council Member--

8 CHAIRPERSON KOSLOWITZ: Press the  
9 button, please.

10 GIOVANNI PALIOTTA: Good afternoon,  
11 Council Member, my name is Giovanni Paliotta, and  
12 the reason why I'm here today I'm trying to  
13 explain why we need to change our rates.

14 Since I came here 20 years ago,  
15 everybody kept increasing prices. I remember  
16 gasoline was only about \$1, now it's about \$3,  
17 about \$3, the bridge and tunnels were charging  
18 half than they are now. We survived 9/11, and  
19 last year's recession. We are people that kept  
20 paying mortgages and taxes, the same way we never  
21 asked for any bail out. I think that we are only  
22 business in New York and maybe in the entire world  
23 that we kept charging the same for more than 20  
24 years.

25 Twenty years ago when the

1 Administration increased our rates increase also  
2 problems for us, such banning carriages from four  
3 to seven, also make a complicated rate card saying  
4 half an hour or fraction [off mic]. We are  
5 restricted into a mile and a quarter on 3 miles  
6 dayshift. The show ride takes about 20 minutes,  
7 along about 40 minutes. Every day I have to  
8 explain and explain why the rate cards they have  
9 half an hour, they never read fraction. Sometimes  
10 in the middle of the ride they're still asking, so  
11 we going to go for half an hour? Will you be  
12 better for customer rate card of 20 minutes or 40  
13 minutes. We have a lot [off mic] from other  
14 countries and also Americans that they want to  
15 know how long the ride we take, they don't want  
16 any complicated rate cards. I would like to see a  
17 few dollars or increase every four or five years.

18  
19 CHAIRPERSON KOSLOWITZ: Okay.

20 Please sum up.

21 GIOVANNI PALIOTTA: And also I  
22 would like to thank Mayor Bloomberg and Mayor  
23 Giuliani.

24 STEPHEN HAND: Madam Chairperson  
25 and Council Members, my name is Stephen Hand, a

1 carriage driver. I ask you all to support Intro  
2 35.

3  
4 The horse carriage industry give me  
5 the chance to live the American dream by driving a  
6 horse and carriage, going to college, getting a  
7 degree at city university, and gaining employment  
8 in the financial services industry. Because of  
9 the financial meltdown one year ago, I lost my job  
10 on Wall Street. Today, I am proud to be part of  
11 the brotherhood of Teamsters, honored to provide  
12 New York tourists with memorable experiences, and  
13 forever a horse and carriage driver. Now is the  
14 time to allow our industry that means to remain  
15 viable. Let us put our best hooves forward and  
16 support Intro 35. I thank you sincerely.

17 CHAIRPERSON KOSLOWITZ: Thank you,  
18 thank all of you.

19 [Pause]

20 [Off mic]

21 CHAIRPERSON KOSLOWITZ: Next panel  
22 Teresa Russo, Jacqueline Hoffner, Dina Kalra, and  
23 Jessica Centola.

24 [Long pause]

25 CHAIRPERSON KOSLOWITZ: People are-

2 -

3 [Long Pause]

4 DINA KALRA: Dina Kalra.

5 [Pause]

6 [Off mic]

7 CHAIRPERSON KOSLOWITZ: What's your

8 name?

9 [Pause]

10 CHAIRPERSON KOSLOWITZ: So [off  
11 mic] Jessica Centola. Jessica Centola? Jessica  
12 Centola.

13 [Long Pause]

14 CHAIRPERSON KOSLOWITZ: Dena Allen?

15 [Off mic]

16 [Pause]

17 DINA KALRA: I'm out of breath.

18 [Off mic]

19 [Pause]

20 CHAIRPERSON KOSLOWITZ: Okay. You  
21 may begin.

22 JACQUELINE HOFFNER: Sure. [Pause]  
23 My name is Jacqueline Hoffner.

24 CHAIRPERSON KOSLOWITZ: Is your mic  
25 on?

1

2

JACQUELINE HOFFNER: Is that on?

3

Good afternoon, my name is Jacqueline Hoffner.

4

As a New Yorker who is deeply

5

concerned about the living and working conditions-

6

-

7

FEMALE VOICE: Pull it closer.

8

JACQUELINE HOFFNER: --of the

9

carriage horses and the protection of their well-

10

being, I am grateful for the opportunity to

11

provide comment on these proposals.

12

It is my opinion that however well

13

intended legislation and regulations may be, our

14

urban environment simply cannot provide open

15

pastures, clean air, or freedom from the harms of

16

New York City traffic. These inherent conditions,

17

which cannot be remedied, make the use of horse-

18

drawn carriages unsafe and inhumane. Therefore, I

19

wish to testify in favor of Intro 92 and Intro 86,

20

with the hope that they will be merged, and to

21

oppose Intro 35.

22

Intro 86 is an elegant alternative

23

to horse-drawn carriages with its green-energy

24

powered replicas of vintage vehicles and it would

25

offer new employment opportunities.

1  
2 Together, Intro 92 and Intro 86  
3 will create a solution which is forward thinking,  
4 safe, environmentally friendly, and compassionate-  
5 -all qualities that our great city should  
6 exemplify. Thank you.

7 [Pause]

8 CHAIRPERSON KOSLOWITZ: Keep going.

9 TERESA RUSSO: Good afternoon, my  
10 name is Teresa Russo, I'm speaking in favor of  
11 Intro 92, which would ban horse-drawn carriages  
12 from New York City.

13 The horse-drawn carriage industry  
14 is inhumane and outdated. The horses are housed  
15 in dilapidated buildings on the West Side of  
16 Manhattan, they're kept in stalls on upper floors,  
17 and walked up and down steep ramps to and from the  
18 stables. If a fire were to break out in one of  
19 these old buildings, it would be impossible to get  
20 all the horses down the ramps and to safety.

21 Every day they're walked through heavy traffic to  
22 and from Central Park, alongside taxis, buses, and  
23 other vehicles, and breathe in the fumes from  
24 exhaust pipes. In the park, they're typically  
25 worked nine hours, which includes standing on hard

1  
2 concrete much of the time, while they wait for  
3 fares. This causes stress on their legs and  
4 hooves.

5 Six months out of the year in  
6 Central Park the water is turned off and the horse  
7 troughs are empty, except for snow, dirt, and  
8 garbage. There is a portable trough at Grand Army  
9 Plaza, which is filled manually. On the occasions  
10 I've seen the trough, it was nearly empty and the  
11 water looked very dirty. A working, horse  
12 typically needs 20 gallons of water a day, and  
13 even more in summer and winter. I had witnessed a  
14 horse standing at the curb this past Valentines  
15 Day, drinking the dirty water from the gutter--  
16 that being all that was available to him.

17 The building of a year-round  
18 thermal trough system in Central Park has been  
19 discussed. The reality is that the industry is  
20 not building this trough system or paying for it,  
21 they expect the city to construct and pay for it.  
22 In other words, they expect New York City tax  
23 payers to shoulder the expense of the care of the  
24 horses that they own, in a time when the city is  
25 cutting the budget by taking away free MetroCards

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from lower income school children.

I would also like to add that not supplying an animal with adequate drinking water violates Article 353 of the New York State Cruelty Statutes and is considered a Class A misdemeanor. This violation has been active for years.

There have been a number of accidents involving New York City carriage horses, some horses have died in these accidents, and some humans have been injured. In other cities that have carriage horses, there have been human deaths. If there was an accident involving a human fatality in New York City, besides being a tragedy, the financial cost to the city resulting from a lawsuit could easily be in the millions.

I do think that replacing the horses with green classic cars is a good idea, however, it must be made clear in any bill that provisions be made to either have the horses adopted as companion animals or retired to reputable sanctuaries. There must also be transparency as far as the public and/or humane agencies being able to track the placement of each of the horses. Thank you.

1  
2                   DINA KALRA: My name is Dina Kalra,  
3 I'm a retired New York City police officer, and  
4 I'm here in favor of Intro 92.

5                   All other speakers are addressing  
6 accidents that have involved death of horses and  
7 maiming in the streets of New York, so I will not.  
8 Last time I testified to abolish horse-drawn  
9 carriages we were bombarded with insults and  
10 misinformation abounded as it did today. Our  
11 intelligence was questioned and we were accused of  
12 ignorance and having too much time on our hands.  
13 The fact is we are doctors, both Ph.D. and  
14 medical, lawyers, and so on who choose to be the  
15 voice of the voiceless animals. I myself have a  
16 Masters degree and worked as a staff psychologist  
17 for the police department.

18                   Tradition was raised by the  
19 carriage horse industry as to why this horrific  
20 industry should continue. Many so-called  
21 traditions throughout history were abolished  
22 because of the cruelty and injustice involved,  
23 such as child labor, indentured servants, and  
24 human slavery. Now is the time for animal slavery  
25 to be stopped.

1  
2 Even St. Francis was brought up  
3 then as he was today by a so-called Franciscan  
4 friar--doubtful--then--I'm sorry--then and today  
5 as okaying the industry of horse-drawn carriages,  
6 St. Francis gave the seal of approval. I  
7 sincerely doubt that St. Francis, who called  
8 animals his brothers and sisters, envisioned  
9 horses walking on asphalt and cement behind and  
10 alongside trucks, buses, and cars emitting fumes  
11 in excessive heat and extreme cold. They climb a  
12 steep ramp to stalls when the day's misery is over  
13 that do not have sprinklers or adequate space for  
14 them to lie down.

15 I say yes to antique cars and  
16 credit card usage as this will resolve three  
17 issues: more accurate tax reporting, promote  
18 tourism, and provide safety to humans and horses.

19 [Pause]

20 CHAIRPERSON KOSLOWITZ: Can move  
21 the mic over to--

22 [Long Pause]

23 DENA ALLEN: Good morning, Council,  
24 my name is Dena Allen and I'm with the Coalition  
25 to Ban Horse-Drawn Carriages.

1  
2 I am opposed to Intro 35, the  
3 industry bill, because its real purpose is to get  
4 a rate increase for the drivers and provide  
5 indexing for inflation, which is really nothing  
6 more than a bailout of a private industry. All  
7 the other provisions in the bill like stall size,  
8 which is way too small, vacations, but no daily  
9 turn outs, are window dressings designed to  
10 deceive and it will not help the horses.

11 The carriage industry overcharges,  
12 it gets away with it time and again. The  
13 Administration looks the other way, the Department  
14 of Consumer Affairs looks the other way, I am  
15 really hoping this Committee will not look the  
16 other way. If any other industry in the city  
17 violated laws like this, there would be big  
18 penalties. This issue was brought up at the  
19 hearing in January of 2009 and every official  
20 looked the other way, and here we are more than a  
21 year later and nothing has changed. What kind of  
22 role model is it when our elected officials  
23 basically rubberstamp this kind of fraud? This is  
24 the proof, there are several YouTube videos that  
25 show drivers overcharging on the street, some even

1  
2 charge sales tax. I've listed links here for you  
3 to look at later. The New York Post wrote an  
4 excellent article, and later the Gothamist  
5 reporting that this overcharging on November 15th,  
6 2009, the article basically dealt with this fraud,  
7 it was called "Taken for a Ride--Carriage Trade  
8 Rips Off Tourists," and that pretty much sums it  
9 up.

10 There are several industry websites  
11 that continually to significantly overcharge more  
12 than their allotted rate. New York Tours charges  
13 125 to 175 for 40 minutes. Gotham Carriages  
14 charges \$58 for 25 minutes and up to 120 minutes.  
15 The list goes on.

16 I want to address the woman whose  
17 husband is a carriage operator who attends their  
18 children's career days who claims this is an  
19 honest living. Ask the unwilling beast at the end  
20 of her husband's whip if it's fair; ask him if  
21 it's honest. It's his blood, it's his sweat, it's  
22 his tears, and your husband is the one that's  
23 getting paid cash tax-free. Instead, we must  
24 instill better values in our children, go to  
25 college--

2 CHAIRPERSON KOSLOWITZ:

3 [Interposing] Okay. Please sum up.

4 DENA ALLEN: --get an education, a  
5 real career that contributes to society and does  
6 not exploit living creatures and cheat--

7 [Crosstalk]

8 CHAIRPERSON KOSLOWITZ:

9 [Interposing] All right, all right--

10 DENA ALLEN: --tourists.

11 CHAIRPERSON KOSLOWITZ: --that's  
12 it, thank you. Okay. Next panel, John F.  
13 Sangiorgio--

14 JOHN SANGIORGIO: Sangiorgio.

15 CHAIRPERSON KOSLOWITZ: You say it  
16 the best.

17 JOHN SANGIORGIO: Thank you.

18 CHAIRPERSON KOSLOWITZ: Anne Fox,  
19 Delia Levy-Bianchino, you'll say your names as you  
20 sit down, Hermilo Marquez. [Pause] There's only  
21 three?

22 MALE VOICE: I think some are in  
23 the other room.

24 CHAIRPERSON KOSLOWITZ: Well they  
25 should--

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[crosstalk]

CHAIRPERSON KOSLOWITZ: Here he is.  
Okay.

DELIA LEVY-BIANCHINO: If I give  
you dirty looks, it's not for you.

CHAIRPERSON KOSLOWITZ: Okay. Just  
pronounce your names correctly, 'cause I know I  
butchered some of them.

MALE VOICE: Can [off mic] a little  
bit? Thanks.

JOHN SANGIORGIO: John Sangiorgio.

[Off mic]

JOHN SANGIORGIO: Oh, when it's  
off, it's on, okay, good. John Sangiorgio.

DELIA LEVY-BIANCHINO: Delia Levy-  
Bianchino.

ANNE FOX: Annie. I often go every  
day to the horses, they treat them very good, they  
deserve a big raise. They never abuse the horses.  
Mayor Bloomberg is for the horses and I'm for the  
horses and many people is for the horses. They're  
never abused, they're never mistreat. I went to  
the stables, they have plenty of room, they're  
well taken care of, they have plenty of food and

1  
2 water, there's always water in Central Park too,  
3 and they have food and water under the carriage in  
4 the bucket, and they treat them very good. They  
5 never abuse them, they give them a lot of tender,  
6 loving care to the horses. I never saw any abuse  
7 and they're very careful and I go there every day  
8 and I never see anything bad. And it's good for  
9 the city and they deserve a big raise. And the  
10 drivers are very good. People, they never abuse,  
11 I never see any abuse in the street and in the  
12 stables.

13 It must go on, it was for the last  
14 200 years, it should go on for the next 500 years,  
15 for life, for life, it should go on. They never  
16 abuse them, they're very good. They never abuse  
17 them, I see it every day, they never abuse them.

18 CHAIRPERSON KOSLOWITZ: Okay.

19 ANNE FOX: They treat them with  
20 tender loving care, they never abuse them. I'm a  
21 witness, they never abuse.

22 CHAIRPERSON KOSLOWITZ: Okay.

23 Thank you very much. Next.

24 HERMILO MARQUEZ: Hi, good  
25 afternoon, my name is Hermilo Marquez. I'm a

1  
2 proud member of the New York City Horse and  
3 Carriage Association, as well--I'm sorry, as well  
4 as Teamster Local 553, I'm working 52nd Street,  
5 I'll be working [off mic] for eight years. I  
6 started working in the stable, like stabling,  
7 taking care of the horses. I've been hearing a  
8 lot of people complaining that we don't give water  
9 to the horses, but a lot of people got to  
10 understand when the horse is working in the park,  
11 we got to take a little time to give him water, to  
12 give him a little rest, to give him oats or  
13 pellets, whatever we're doing it, and you got to  
14 learn that we can't give it a lot of water, we  
15 can't give it a lot of oats and pellets [off mic]  
16 and the horses, we've got a different breed of  
17 horses, we got a different kind of horses. And a  
18 lot of people just complain about us, but don't  
19 really know about horses.

20 I'm supporting Intro 35 to increase  
21 a price for the industry which has been the same  
22 for 20 years. I've only been working for eight  
23 years, but all the prices in the city and cost for  
24 living, renting, and everything has been going up  
25 for the past years. I just want to say thanks for

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everybody to listen to us and thank you.

[Pause]

DELIA LEVY-BIANCHINO: Hi. Okay.

So what am I speaking on? I know what I'm talking about.

CHAIRPERSON KOSLOWITZ: Just say

who you are--

[Pause]

DELIA LEVY-BIANCHINO: Hi, I'm

Delia Levy-Bianchino, and I really did not want to come up here to throw fighting words. I've been working at the stable for--I'm 19 years old, I've been working there--not working, not child labor, but I've been there since I was 5-years-old.

The horses there are very well taken care of. I know technically it's for profit, but this man has had the same car since I've been there and I don't know how long he had it before that. He just got a new pair of glasses this year, before that we used to make fun of him 'cause they were bulletproof, okay. It's not for profit, he's not the type of businessman that walks around with a whole bunch of cash, goes and spent it on fancy things.

1  
2 Okay, now the way that I know for a  
3 fact that these horses aren't abused, besides the  
4 fact that I've been there, is when I was a little  
5 kid, like Sasha's age, but even younger, I used to  
6 go play I'm the Detective for all the new  
7 volunteers. I would walk up there, there would be  
8 new volunteers would come and I would spy on them  
9 just to make sure that none of these horses were  
10 getting abused, it sounds funny, but I took my job  
11 very seriously. None of these horses are getting  
12 abused, none of them are getting tortured, okay?

13 I have 50 seconds left, so what  
14 else am I going to talk about? They're clean,  
15 they have water at all times, the only time that  
16 they don't have water is when their buckets are  
17 getting cleaned. Thirty-eight seconds, that takes  
18 about.

19 CHAIRPERSON KOSLOWITZ: You don't  
20 have to finish, I mean--

21 DELIA LEVY-BIANCHINO: No, but I'd  
22 like to.

23 CHAIRPERSON KOSLOWITZ: Okay.

24 DELIA LEVY-BIANCHINO: I want to  
25 make my point. And that's about it, but these

1  
2 horses are loved, they're taken care of. I can't  
3 speak for carriage horses, but I'm sure that any--  
4 oh, horses do have a voice, but you try to hit a  
5 horse in the face and you tell me that they don't  
6 have a voice, you will get kicked, you will get  
7 bit; you try to get on a horse and boss them  
8 around or tell them what to do. They have a  
9 voice. They'll let you know when they're mad.

10 CHAIRPERSON KOSLOWITZ: Next.

11 JOHN SANGIORGIO: Yeah, hi, my name  
12 is John Sangiorgio, I'm a practicing veterinarian  
13 on Staten Island. I'm one of the few  
14 veterinarians in the city that still does horses.  
15 I'm here to speak on behalf of the Veterinary  
16 Medical Association of New York City, we represent  
17 200 practicing veterinarians in the city.

18 Our intention here is not to say  
19 whether or not horse-drawn carriages should be in  
20 New York, that's a matter for the people of New  
21 York to decide and the representatives of the  
22 people of New York to decide. So we're not going  
23 to talk about Intro 92 and 86, which would ban the  
24 horses.

25 We do have some comments since our

1  
2 main interest is the health and safety of the  
3 animals and health and safety of the operators and  
4 the passengers.

5 Intro 93 talks about the area and  
6 time the animals could move. Now it doesn't  
7 include moving to and from the stables, which is  
8 important. And also in that area that they could  
9 move, there should be certain exceptions, these  
10 funerals, making movies, parades, these should be  
11 exceptions and they should be put in by the  
12 Mayor's office.

13 In Intro 35 there's something that  
14 may be a linguistics problem, it said the animals  
15 should be equipped with bridles and halters at all  
16 times. Since these two items go in the same place  
17 on the horse, they can't be wearing them, so it  
18 should be reworded or something.

19 Something very good I found in 35  
20 was putting the halters on the stalls or keeping  
21 them on the animals. In case of a fire, this is  
22 necessary to control these animals and this is  
23 something that may cost \$5 per horse and it's  
24 definitely going to help.

25 Cold water rain gear also helps.

1  
2 The contact information of the owner should be  
3 kept in different places on and off site. We have  
4 much [off mic] to microchipping and having that  
5 off site, all the information of the owner off  
6 site. Health certificates just put on the stalls,  
7 it's kind of silly because they're going to get  
8 dirty and ripped and they'd be better kept in a  
9 place.

10 Something that hasn't been  
11 discussed is turn out time. Okay.

12 CHAIRPERSON KOSLOWITZ: Thank you.

13 JOHN SANGIORGIO: Any questions.

14 CHAIRPERSON KOSLOWITZ: We have  
15 your testimony--

16 JOHN SANGIORGIO: Okay.

17 CHAIRPERSON KOSLOWITZ: --don't we,  
18 so--

19 ANNE FOX: I forgot to say--

20 CHAIRPERSON KOSLOWITZ: No, no, no,  
21 no more, no, no.

22 ANNE FOX: They always have good--

23 SERGEANT-AT-ARMS: Quiet, please.

24 CHAIRPERSON KOSLOWITZ: I want to  
25 call Roxanne Delgado--thank you--Michelle Kaskel--

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JOHN SANGIORGIO: Good job.

DELIA LEVY-BIANCHINO: Thank you.

CHAIRPERSON KOSLOWITZ: --Mark  
Adams, and Jenny Chou.

[Pause]

FEMALE VOICE: Sorry.

[Long Pause]

CHAIRPERSON KOSLOWITZ: Okay. You  
can begin.

ROXANNE DELGADO: Okay. Hello?

Hi, my name is Roxanne Delgado, I oppose Intro 35  
because this bill does not improve in any way the  
conditions of the horses. The least they can do  
for these horses is restrict them to the park  
because currently I see them in Times Square at 1  
a.m., I see them in Rockefeller Center nearby  
commercial sanitation trucks, nearby commercial  
trucks, tour buses, city buses, police trucks  
because they do surveillance at night near Times  
Square. It's horrible.

And also when I was in Amsterdam  
two years ago, there's more bikes than cars yet  
the horse carriages only operate from 11 a.m. to 6  
p.m. weekdays.

1  
2 And lastly I would like to say  
3 there's no oversight of this industry because I  
4 have called the police department after ASPCA  
5 hours are closed after 6 p.m. and they told me  
6 that they do not deal with nonhuman issues. I  
7 spoke to the captain of the Central Park Precinct  
8 in person, he's a new captain, he said that even  
9 though state law gives him authority over the  
10 horses they will not deal with any non-related  
11 human issues. I spoke to the Parks Department,  
12 they said that since they are not aware of any  
13 laws that they cannot monitor the horses because  
14 they have no intense knowledge of the current laws  
15 that exist, if they do exist.

16 And I also spoke to the--so there  
17 is no oversight of this industry because ASPCA  
18 does this voluntary based on their own personal  
19 resources based from donations. So it's basically  
20 no oversight of this industry.

21 And also this bill is rewarding  
22 illegal activities. There was a speaker who said  
23 they overcame, they beat the pedicab drivers, yes,  
24 they did, they literally beat the pedicab drivers,  
25 'cause they would slash their tires, harass them,

1  
2 block them from the park with a carriage, and I  
3 have videotapes of that on YouTube. And just a  
4 few minutes ago one of the drivers just made a  
5 threat at me, which is [off mic] because they make  
6 threats at me every time they see me.

7           And this bill is rewarding double  
8 shifting, overcharging people, bribing agents,  
9 drinking alcohol while on the carriage, making  
10 threats, it's unfair. Sorry, I ran out of time.

11           MARK ADAM: Ma'am, Council, people,  
12 I am Mark Adam, the owner of a simple, but  
13 beautiful, standardbred riding horse, Brandy. We  
14 are on our 10th year of learning together. She is  
15 my first and only horse, I am not a barn owner.  
16 She is living next to her favorite mate, as horses  
17 and herds choose to do in the wild. Brandy is  
18 able to lay down in her stall, contrary to what  
19 many may believe, by simply tucking her legs under  
20 her, laying down, and turning her legs to the  
21 side, as many have seen, sheep do in the wild.

22           Some horses do much better in  
23 straight stalls. By being right next to one  
24 another, there is not the sense of isolation.  
25 This is how they group in the wild, they are herd

1  
2 animals. Some horses, when placed in box stalls,  
3 out of a sense of isolation, lack of herd  
4 security, and boredom, develop psychological  
5 problems that manifest themselves in physical  
6 ways. Some of those are cribbing, weaving, and  
7 even self-mutilization. Anyone who's familiar  
8 with birds know that many times a bird reacts  
9 badly to isolation, it will pluck feathers; for  
10 horses it can be much worse, they rip open their  
11 flesh with their teeth.

12 A box stall for some horses can be  
13 psychologically and physically damaging. It is  
14 not a question of one type of stall and not any  
15 other, but rather which type of stall is best for  
16 which horse. Unlike the likes of mathematics,  
17 life, flesh and blood, are simply not that  
18 exacting.

19 But before actually having a horse,  
20 I was like many of the people in this room and was  
21 a proud owner of a dog, a cat, or a bird and that  
22 was pretty much the extent of my animal caring  
23 experience. We are trying to take care and doing  
24 so taking care of the horses we love and trying to  
25 protect them from harm in the Blankinship family

1  
2 stable and that red brick stable has been caring  
3 for horses since 1930--1930. I'll just conclude  
4 by saying this, it is good when we feel with our  
5 hearts, but it is often important to let our  
6 brains lead our hearts. Thank you.

7 [Pause]

8 JENNY CHOU: Good afternoon,  
9 Council, my name is Jenny Chou, I am a member of  
10 Coalition to Ban Horse-Drawn Carriages. I am  
11 speaking in favor of Intro 92 and in opposition to  
12 Intro 35.

13 So recurring question, what will  
14 the fate of these horses be, and this has come up  
15 many times when we have discussed the issue of  
16 banning the horse-drawn carriage industry in New  
17 York City. People are very concerned that these  
18 horses may go to slaughter, and indeed this is a  
19 very legitimate concern. Although the United  
20 States no longer has horse slaughter plants, the  
21 horses slated for slaughter are now trucked over  
22 to the border of Mexico and Canada. After  
23 slaughter, horsemeat is shipped out to countries  
24 like Japan and France where its consumption is  
25 considered a delicacy.

1  
2           There's a loophole in the present  
3 law, Section 17-729 of the health section of New  
4 York Administrative Code. It states that the  
5 horses are to be disposed of humanely, but it does  
6 not provide either parameters or a definition. It  
7 also requires that sales records be provided to  
8 the Department of Health if the sale is made  
9 within New York City. Sales outside of the city  
10 are not required to be reported. Because there is  
11 no accountability, horses can easily end up at  
12 auctions or with a broker--their first step to the  
13 slaughterhouses in Mexico and Canada, they have no  
14 protection.

15           Our records show that approximately  
16 a third of the horses in the Department of Health  
17 Registry disappear from the rolls every year,  
18 which about approximately is 65 to 70 horses. The  
19 industry will tell you that they all find nice  
20 homes, but there's no requirement for this in the  
21 law.

22           Intro 92 addresses this issue  
23 beautifully by creating Section 17-730 which  
24 requires the Department of Health be notified of  
25 the transfer of ownership of every horse,

1  
2 regardless of where it is. It also defines  
3 disposed of in a humane manner to mean either  
4 selling or donating the horse to a private  
5 individual or duly incorporated animal sanctuary.  
6 I would urge Council to vote for Intro 92.

7 MICHELLE KASKEL: Good morning, my  
8 name is Michelle Kaskel, I live in New York City.  
9 I'm here to urge you to ban horse-drawn carriages  
10 and pass Intro 92. I support a merger of 92 and  
11 86, and oppose Intro 35.

12 Though there are many reasons, I  
13 will focus on one: stall size. The Teamsters is  
14 a labor union concerned with fair labor practices.  
15 Their brotherhood doesn't even realize it's trying  
16 to pass a bill that would support exploitation.  
17 If they work nine hours a day, six days a week,  
18 they go home to their families and stretch out in  
19 a bed. These horses work nine hours a day, six  
20 days a week, and then have to stand isolated in  
21 the closet for the remaining 12 to 15 hours, 11  
22 months out of the year.

23 I'll read a little on sleep  
24 patterns. Horses are able to sleep both standing  
25 up and lying down. In an adaptation from life in

1  
2 the wild, horses are able to enter light sleep by  
3 using a stay apparatus in their legs, allowing  
4 them to doze without collapsing. Horses sleep  
5 better when in groups because some animals will  
6 sleep standing guard to watch for predators and  
7 horses alone will not sleep well because its  
8 instincts are to keep a constant eye out for  
9 danger. Horses spend 4 to 15 hours a day in  
10 standing rest and from a few to several hours  
11 lying down. Horses must lie down to reach REM  
12 sleep. They have to lie down for an hour or two  
13 every few days to meet minimum REM sleep  
14 requirements. However, if a horse is never  
15 allowed to lie down, after several days it will  
16 become sleep deprived and in rare cases may  
17 suddenly collapse as it involuntarily slips into  
18 REM sleep while still standing. The present  
19 conditions in Intro 35 allow for only half the  
20 recommended stall size for the horses to sleep and  
21 extend their legs.

22 Because of these and other issues.  
23 I believe in the banning of carriage horse--I  
24 believe the carriage horse life and labor in New  
25 York City does not adequately address these basic

needs and in fact endangers them. I urge you to pass Intro 92. Optimally, a merger of Intro 92 and 86 would best address both concern of human and horse life and welfare, but I urge you to pass Intro 92 and ban this exploitation. Thank you.

[Pause]

CHAIRPERSON KOSLOWITZ: Okay. I'd like to call Samsam Yung, Elena Ouchakova, Barbara Dasch, and Ana Rosario.

FEMALE VOICE: Barbara Dasch already--

[Pause]

CHAIRPERSON KOSLOWITZ: No.

FEMALE VOICE: No, okay--

[Pause]

FEMALE VOICE: She had to leave.

CHAIRPERSON KOSLOWITZ: Okay. She had to leave, okay. Okay.

FEMALE VOICE: I can hand in her testimony.

SAMSAM YUNG: Okay. I'm Samsam--

CHAIRPERSON KOSLOWITZ:

[Interposing] I want to just call Barbara Stork.

[Pause]

1  
2 SAMSAM YUNG: Shall I start or  
3 should I wait?

4 [Off mic]

5 [Pause]

6 SAMSAM YUNG: Okay. I'm Samsam  
7 Yung, head trainer at Kensington Stables, we are a  
8 riding stables. I am in general in support of  
9 Intro 35. I think that the carriage industry  
10 deserve and needs a rate increase in order to  
11 support their own family and take care of the  
12 horses. If we're saying that these people don't  
13 have the money to provide troughs in the city and  
14 the city has to build it, well we have to pay them  
15 so that they can have the money.

16 I am opposed to one section in the  
17 Intro 35 regarding specific stall size  
18 requirement, which is 64 square feet. And we just  
19 heard someone here who said that that's half the  
20 requirement, that's half what they need. These  
21 numbers being thrown around when you dig into the  
22 literature and trace the source, actually trace  
23 back to a guideline that's published in 1999 and  
24 in that guideline it says that the reasonable area  
25 allowance for a single horse is twice the square

1  
2 of his height at the withers. The withers is the  
3 top of the back, it does not include the fact that  
4 the horse has a long neck. So 8 by 8 feet  
5 according to that formula would house a horse at  
6 17 hands horse, that is about the average size of  
7 most of the carriage horses.

8 For us who are riding stables, we  
9 have some horses that's about a third of that  
10 height and then by size of being I suppose a  
11 ninth, yeah? If you think about a third by height  
12 is about one-ninth of that. So to require us to  
13 have boxes that are 8 by 8 for our little ponies,  
14 it would be a little bit superfluous I would say.

15 And I also want to highlight the  
16 fact that in the original guideline published in  
17 1999 it does specifically say that tie stalls are  
18 acceptable and the recommendation there is 5 by 9.

19 And you have the rest of my  
20 testimony written.

21 CHAIRPERSON KOSLOWITZ: Thank you.

22 ELENA OUCHAKOVA: Hi, my name is  
23 Elena Ouchakova and I'm a 22-year-old Brooklyn  
24 horse owner. So I come to you today representing  
25 Kensington Stables in support of section 35, with

1  
2 the exception of subdivision C.

3 I would like to start with reading  
4 an excerpt from the ASPCA General Horse Care  
5 website. They concur that straight stalls are  
6 actually not malignant to horses' health, provided  
7 that routine exercise and social [off mic] is  
8 provided. The link is provided below after the  
9 excerpt. Contrary to what you may have heard,  
10 straight stalls are not necessarily worse than box  
11 stalls if the horses are together or spend most of  
12 their day outside. Horses isolated in box stalls  
13 can develop behavioral problems from lack of  
14 companionship, exercise, and mental stimulation.  
15 Whenever possible horses should be either outside  
16 or with other horses. Horses can go into a light  
17 sleep with their legs locked so it takes very  
18 little effort to remain standing. In order to  
19 achieve deep REM sleep, a horse must lay flat.

20 To support the above statement, our  
21 horses that live in straight stalls and box stalls  
22 combine reach their quota of both the exercise and  
23 the social standings with daily walks and turn  
24 out. Each of our animals receive individual  
25 schedules to optimize their health and happiness.

1  
2 In fact, the horses that live in the straight  
3 stalls have a chance to socialize through the day  
4 and the evening. The ability to lie down in a  
5 straight stall is also not by affected by the 40  
6 animals we have housed there.

7 Our job as an equine business is to  
8 ensure that horses are a good match for a variety  
9 of customers. Our job as horse people and horse  
10 lovers is to ensure the comfort of the horses that  
11 take care of us as much as we take care of them.

12 I would like to point out at this  
13 point that we're not disproving box stalls, we  
14 have a combination of both in our stable,  
15 depending on the needs of the individual horses.  
16 Some are better for straight stalls, some are  
17 better for boxed.

18 Fergus, one of our drafts, has no  
19 trouble laying down and sprawling out, dreaming in  
20 the bottom of his stall. He can also demonstrate  
21 his ability to fold himself in half and take  
22 carrots out of your hand from the back of the  
23 stall. Fergus is a Haflinger draft breed from  
24 Germany built for carriage pulling, you tell him  
25 that his stall is too small.

1  
2 Furthermore, I'd like to address  
3 the sanitary conditions of both straight and box  
4 stalls. We have all heard by now, the effects of  
5 the ammonia fumes that circulate in stalls, add a  
6 two-foot pony into that mix for 18 hours a day and  
7 I'd say it's big lung problems. Thrush [off mic]  
8 is a fungal infection affects the hooves, softens  
9 the wall, destroys the frog, and affects the  
10 soundness, it was more common in box stalls.

11 [Pause]

12 BARBARA DASCH: Hi, hello? Okay.  
13 Hi, my name is Barbara Dasch, I'm representing  
14 Kensington Stables today.

15 There are a couple points of  
16 opposition to 35 just subdivision C that I would  
17 like to make regarding stall size. Our small  
18 stables houses 40 animals in both box stalls and  
19 tie standing stalls and a small indoor riding  
20 arena. The facility physically has no room for  
21 every animal to be housed in a box stall without  
22 demolishing our indoor area and getting rid of  
23 half of our working animals. The indoor riding  
24 area is occupied by a therapeutic riding  
25 organization throughout the week, children's

1  
2 lessons on the weekends, and general turn out time  
3 for the horses to play.

4           And then just from a personal  
5 observation, horses in box stalls tend not to  
6 utilize the entire stall and generally stand  
7 either pressed up against the wall of the horse  
8 next to them, like her horse, or in front of where  
9 their food and water is located. Horses don't  
10 generally move around a lot while they're in their  
11 stalls. Furthermore, it takes double the time to  
12 clean a box stall than a standing stall. Horses  
13 can develop various hoof problems if standing in  
14 soiled bedding for long periods of time. This  
15 problem will be exacerbated because cleaning of a  
16 box stall would take longer, thus yielding to less  
17 stalls cleaned per hour.

18           In addition, in a box stall, a  
19 horse can turn around and soil their food and  
20 water during the night; in a standing stall a  
21 horse can never do that as the food and water is  
22 placed by their head.

23           On a personal note, I have been  
24 with Kensington Stables for 15 years and basically  
25 grew up in the barn. I am now currently enrolled

1  
2 to start veterinary school in May and have  
3 Kensington Stables to thank for this. I developed  
4 a passion for horses at a young age. Throughout  
5 my years here, I have learned how to care for and  
6 work around a horse and how to tell if a horse is  
7 sick, responsibility, patience, and most of all,  
8 my zeal for veterinary medicine. Kensington  
9 Stables allowed me to interact with a horse in the  
10 middle of the city. This barn offers  
11 opportunities to someone growing up in the city  
12 that would not normally have.

13 I plead to you one last time not to  
14 pass the stall size change. If passed, it would  
15 put tremendous financial strain on an already  
16 strained small city barn. The detrimental affect  
17 that would ensue after the stall size change would  
18 include major monetary losses for the stable  
19 leading to eventual bankruptcy. This barn is more  
20 than just a business, it's a place for inner-city  
21 people of all--all right, thank you.

22 [Off mic]

23 BARBARA STORK: Hello, my name is  
24 Barbara Stork, I am here to just be in opposition  
25 to just one part of Intro 35, but basically I'm in

1  
2 favor of it, especially the rate increase for the  
3 carriage operators.

4           What they're doing is a form of  
5 art, it's not transportation. I think there was a  
6 comment about how New York should be the center of  
7 creativity, all forms of handling horses are  
8 creativity. And I do believe that when children  
9 see these carriage horses in the park, that that  
10 is their first step toward perhaps coming to  
11 Kensington Stables where they can further interact  
12 with horses. I think if you take them away it's a  
13 serious loss. I heard the terms New York will be  
14 fine without the carriages, well is that the same  
15 as we'll be just fine without the old Penn  
16 Station? I think we'll lose a tremendous amount.

17           In terms of this New York State  
18 Horse Health Assurance Program that we're saying  
19 that Intro 35 is not going to be make stalls large  
20 enough, that 12 by 12 is not large enough, we want  
21 to go to 14 by 14. Walker Blankinship of  
22 Kensington Stables did have a conversation with  
23 the head of that program. This is Dr. Lyda Denney  
24 and her words are first of all, New York City, the  
25 mounted units--I'm going to read this--four of

1  
2 which use ties stalls. Dr. Denney, she said that  
3 any reference to the assurance program requiring  
4 the 12 by 12 box stalls is a misinterpretation of  
5 the program.

6 If you'd like more information I  
7 can continue, it's very critical, she does say  
8 that this is a complete misinterpretation.

9 CHAIRPERSON KOSLOWITZ: No, if you  
10 can give us copies I assure you that we will read  
11 them.

12 BARBARA STORK: Okay.

13 CHAIRPERSON KOSLOWITZ: Okay. Next  
14 panel Susan Davis, Yetta Kurland, Carolyn Spigel,  
15 and Tracy Everitt.

16 [Pause]

17 CHAIRPERSON KOSLOWITZ: Yetta left?  
18 Okay. [Pause] Okay. G. Grassi. [Pause] G.  
19 Grassi? [Pause] He said Yetta Kurland left.

20 [Off mic]

21 CHAIRPERSON KOSLOWITZ: Okay.  
22 Thank you.

23 FEMALE VOICE: [Off mic] testimony  
24 to you.

25 CHAIRPERSON KOSLOWITZ: Okay.

2 [Long Pause]

3 FEMALE VOICE: They can start.

4 CHAIRPERSON KOSLOWITZ: You may  
5 start.

6 [Pause]

7 [Off mic]

8 SUSAN DAVIS: My name is Susan  
9 Davis, I'm a resident of New York City who spent  
10 my early life upstate New York around horses--my  
11 grandfather's, my uncle's, my father's. I support  
12 Intro 92, the only bill before you that protects  
13 the carriage horses from being sent to a horrific  
14 slaughter over the border.

15 To pass Intro 86 as it stands alone  
16 and not merged with Intro 92 is to completely  
17 ignore the welfare and safekeeping of the horses--  
18 that's unacceptable. But I would consider  
19 supporting if the two bills merged and kept all of  
20 the protection for the horses from slaughter.

21 To pass Intro 35 is to allow more  
22 accidents that have and will mean fatalities and  
23 life impacting injuries to both horses and humans.  
24 Consumer Affairs just this month suspended the  
25 license of a carriage driver who was operating a

1 carriage while under the influence of alcohol. In  
2 30 days or less, he will be operating a horse-  
3 drawn carriage again.  
4

5 In February, I witnessed a horse  
6 forced into making contact with the car in front  
7 of him because his driver was turning around and  
8 talking to his passengers while in heavy traffic.  
9 I've witnessed countless similar incidents with  
10 the driver's eyes averted from traffic, distracted  
11 by cell phones, and making illegal U-turns. This  
12 industry cannot be regulated.

13 I've also seen countless harness  
14 burns--and you can see them yourselves if you take  
15 a gander along Central Park, you can see sores  
16 underneath where the britch [phonetic] strap is  
17 and you can see friction from where the shafts are  
18 attached to the horses on almost all of the horses  
19 at any time.

20 To pass Intro 35 is to allow for  
21 endless and costly attempts at regulation. For  
22 years this industry and our city have failed to  
23 keep a few gallons of clean water in just two--

24 CHAIRPERSON KOSLOWITZ:

25 [Interposing] You have to sum up.

2 MALE VOICE: Next.

3 SUSAN DAVIS: Okay. I'm almost  
4 done. In just two drinking troughs--

5 CHAIRPERSON KOSLOWITZ:

6 [Interposing] Yeah, you have to sum up.

7 SUSAN DAVIS: Okay. Well given--

8 MALE VOICE: Next.

9 SUSAN DAVIS: --given the budgets  
10 have just been slashed. There's clearly no money  
11 for water piping and constant regulation to keep  
12 the water litter and disease free. It is obvious  
13 the horses--

14 CHAIRPERSON KOSLOWITZ:

15 [Interposing] Okay. That's it.

16 SUSAN DAVIS: --will continue to  
17 suffer under Intro 35.

18 CHAIRPERSON KOSLOWITZ: That's it.

19 Next.

20 CAROLYN SPIGEL: Okay. I'm here in  
21 support of Intro 92, along with and including the--  
22 --also supporting Intro 86, if it will include  
23 humane disposition enforceability.

24 I'm here to talk about the lack of  
25 enforcement, but before I get in--

1

CHAIRPERSON KOSLOWITZ:

2

3 [Interposing] Can you just give us your name, I'm  
4 sorry.

5

6 CAROLYN SPIGEL: I'm sorry, Carolyn  
7 Spigel. Before I even get into that, let me just  
8 say that I think we need to focus on the facts  
9 here and not on adults crying about problems in  
10 their marriage, crying that they can't pay their  
11 mortgage, crying that they can't pay their bills.  
12 We are in a new world, there is no industry that  
13 hasn't been affected by change, we have to retool--  
14 -whether that's going global, whether that's  
15 technology, whether that's different expectations.  
16 That is an emotional plea, it's gone on a lot  
17 today and that's not what we're here to deal with,  
18 we're here to deal with the facts. So let's get  
19 to the facts.

20

21 The Department of Health recently  
22 drafted the Notice of Intention to Amend Chapter  
23 4. Let me speak about that, it says an attempt  
24 has been made to clarify--an attempt underlined--  
25 has been made to clarify that enforcement of most--  
-most underlined--of these provisions is within  
the authority of agents and employees of the

1  
2 department, Department of Consumer Affairs, ASPCA,  
3 and NYPD. It's even saying in its language that  
4 it is only able to enforce most, not all. What is  
5 an example of something that cannot be addressed?  
6 Meaning that, why do we even have this industry at  
7 all?

8                   It talks about the ambient  
9 temperature readings, quote, no agency has  
10 resources to monitor these temperatures several  
11 times a day to determine when horses should be  
12 relieved of work during extreme temperatures. The  
13 responsibility for keeping records of temperatures  
14 has been placed on the drivers of horse-drawn  
15 carriages who take the horse out of the stable  
16 each day. We have the Department of Health  
17 essentially saying that no agency can properly  
18 enforce this industry, that we'll put it into the  
19 hands of those who have a financial interest. A  
20 driver is going to take his horse home and not  
21 make money? You've heard about the issues they  
22 have. You don't reward 221 % increase to a broken  
23 industry.

24                   [Pause]

25                   CHAIRPERSON KOSLOWITZ: Next.

1  
2 TRACY EVERITT: Good afternoon,  
3 Council. I didn't want to speak, but there's an  
4 indisputable fact not been mentioned once. My  
5 name is Tracy Everitt, I'm a Broadway dancer.

6 I support Intro 92, and I think  
7 this whole horse-drawn carriage industry has to be  
8 abolished. Very simply put, there are two sides  
9 been presented today, but just two, only two.  
10 There's another point of view. An entirely  
11 different one which has not been mentioned,  
12 unbelievably. That is the point of view of the  
13 horses.

14 Now if I were to ask you just  
15 imagine you are a free horse running across the  
16 plains of some state that Ronald Reagan loves.  
17 And one of the horse-drawn carriage people come up  
18 to you it and they say, hey, I got a proposal for  
19 you, look at these pictures, and he shows you  
20 pictures of these fellow creatures, and you look  
21 at them. Then the horse-drawn carriage driver  
22 says, now, I've got a purpose for you, I have a  
23 purpose, and the horse says, what's a purpose? I  
24 like to run, feel the wind on my back, make love,  
25 roll in the river, run over mountains and fields,

1  
2 what's a purpose? And the driver says, well look,  
3 there's your purpose, what do you think? I've got  
4 a job for you. And you look at this thing and you  
5 see this and you say, what are all those straps  
6 over my brother's back, what's that piece of iron  
7 in his mouth? He has to eat and drink with that?  
8 I don't think so, you're crazy.

9                   Now just based on the point of view  
10 of horses, which is indisputable what they would  
11 say if they could be here--and by the way, horse-  
12 drawn carriage people say they know the state of  
13 mind of horses, they tell them they approve. They  
14 love their purpose. This is what they say, they  
15 understand horses. They understand that horses  
16 can form opinions and approve of things. Well  
17 okay, if they can I want them to go out west and  
18 ask some horses. That's all.

19                   [Long pause]

20                   G. GRASSI: Council Members, I have  
21 loved and ridden horses since childhood, now I  
22 drive them. I've adopted and placed three. I  
23 support Intro 35.

24                   Our horses should not be confined  
25 to the park, that experiment failed. The Dreyfus

1  
2 bill, 1989 to '93. The greatest nightlife city in  
3 the world, we lost our night shift in its  
4 entirety. Trained in new drivers, half of whom  
5 were forced to leave due to extreme poverty. A  
6 bankruptcy plan. And suddenly Dreyfus left the  
7 Council stuffed with real estate developers'  
8 checks, he never spent those checks on his own  
9 dog, who he abandoned at a kennel, discovered by  
10 Jimmy Breslin. But he was the man who would ban  
11 carriages. He himself was banned in disgrace.  
12 The real estate and animal rights alliance is  
13 real, and it's real ugly.

14 My clients in both park and streets  
15 have included Ted Kennedy's family wedding at St.  
16 Patrick's, carrying them to the Warwick; Oksana  
17 Baiul, gold medalist; Lily Tomlin; Yoko Ono,  
18 twice; Annette Bening; Lucy Liu; Ed McMahon, even  
19 the Saudi royal family; Danny DeVito; it's an  
20 endless list of professional people.

21 Those who expect zero risk with  
22 horses are truly amateur horsemen, I know all  
23 risks and I seek to minimize them. So why has  
24 Stephen Nislick, why has Stephen Nislick's so-  
25 called charity spent 800,000 to a million two on

1  
2 this poster on the telephones of New York City?  
3 Hundred and 150 of these, that's major, major  
4 money by a major, major developer who wants not  
5 only our stable turf, but our tourist turf in the  
6 part. A million could have bought 40 acres for a  
7 farm, Pennsylvania so our retired horses could  
8 stay with their buddies; 110,000 would have  
9 repaved the Zoo Hill which is defective eight or  
10 nine times over for our own horse's sake, for  
11 god's sake, no horsemen--okay.

12 We demand an inquiry. The road  
13 that was repaved--

14 CHAIRPERSON KOSLOWITZ: Okay.

15 G. GRASSI: --after our--

16 CHAIRPERSON KOSLOWITZ: Your time  
17 is up.

18 G. GRASSI: --request was the  
19 electric cars--

20 CHAIRPERSON KOSLOWITZ: Your time  
21 is up.

22 G. GRASSI: --road, that's treason--  
23 -

24 [Off mic]

25 G. GRASSI: --we demand an inquiry.

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CHAIRPERSON KOSLOWITZ: Time is up.

[Off mic]

[Pause]

CHAIRPERSON KOSLOWITZ: Okay.

Okay. These are the last two people.

SERGEANT-AT-ARMS: Quiet, please.

[Off mic]

FEMALE VOICE: Wait, call this--

[Pause]

SERGEANT-AT-ARMS: Quiet, please.

CHAIRPERSON KOSLOWITZ: Okay.

Jessica Centola. [Pause] Is she here? Okay.

[Off mic]

[Pause]

CHAIRPERSON KOSLOWITZ: Katia

Katsnelson?

[Off mic]

[Pause]

CHAIRPERSON KOSLOWITZ: Johnny

Torres?

[Off mic]

[Pause]

CHAIRPERSON KOSLOWITZ: Yeah, we called her before, she didn't answer.

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MALE VOICE: No, she's not here.

CHAIRPERSON KOSLOWITZ: Okay.

SERGEANT-AT-ARMS: Anybody else?

CHAIRPERSON KOSLOWITZ: Okay.

JOHNNY TORRES: You want to go  
first?

KATIA KATSNELSON: No, you go.

JOHNNY TORRES: My name's--

[Crosstalk]

JOHNNY TORRES: I spoke on behalf  
of Dany Cunningham, I'm now talking for myself,  
thank you.

FEMALE VOICE: [Off mic] didn't  
sign up [off mic].

JOHNNY TORRES: Yes, I did.

FEMALE VOICE: What's your name?

JOHNNY TORRES: Johnny Torres.

FEMALE VOICE: Oh yeah.

JOHNNY TORRES: You just called my  
card.

[Off mic]

[Pause]

JOHNNY TORRES: I spoke on behalf  
of Dany Cunningham.

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[Crosstalk]

FEMALE VOICE: --for someone else.

JOHNNY TORRES: Yeah.

FEMALE VOICE: And then who--Katia  
and then there's--

[Pause]

JOHNNY TORRES: Okay. Hello, I  
would like to--

CHAIRPERSON KOSLOWITZ: A little  
moral support.

JOHNNY TORRES: I'm representing  
Kensington Stables and I would like to start off  
with actually addressing two people. To sink to  
such a low to bring someone's daughter and their  
family just to make your point is low--

[Crosstalk]

JOHNNY TORRES: --okay, it's low.  
Okay? It's low, it's disgusting.

Now back to Kensington Stables--

CHAIRPERSON KOSLOWITZ:

[Interposing] This is not what this, this is not--

JOHNNY TORRES: I apologize.

CHAIRPERSON KOSLOWITZ: --what this  
is about.

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JOHNNY TORRES: Now back to Kensington Stables, in favor of the straight stalls, it allows for the food to be placed in the front and the excrement to come out through the back, it makes for easy cleaning up and it makes for cleaner stalls.

Cowards, that's what you all are, cowards. I like your leather boots too.

[Off mic]

JOHNNY TORRES: Cowards.

CHAIRPERSON KOSLOWITZ: Excuse me--

JOHNNY TORRES: Yeah, I bet, I bet.

CHAIRPERSON KOSLOWITZ: --excuse me.

JOHNNY TORRES: Go feed your dog some horse--

CHAIRPERSON KOSLOWITZ: Mr. Torres.

JOHNNY TORRES: --how about that?

CHAIRPERSON KOSLOWITZ: Mr. Torres.

JOHNNY TORRES: Huh, do you have a pet? Do you have a pet? They eat horsemeat.

SERGEANT-AT-ARMS: Sir, you're done.

CHAIRPERSON KOSLOWITZ: All right.

2 [Off mic]

3 [Pause]

4 CHAIRPERSON KOSLOWITZ: That's  
5 unnecessary.

6 [Off mic]

7 CHAIRPERSON KOSLOWITZ: Okay.

8 [Off mic]

9 [Pause]

10 CHAIRPERSON KOSLOWITZ: Okay.

11 KATIA KATSNELSON: Okay. [Pause]

12 All right.

13 [Pause]

14 CHAIRPERSON KOSLOWITZ: Please, let  
15 this young lady testify and let's be polite,  
16 Respect--

17 KATIA KATSNELSON: Okay.

18 CHAIRPERSON KOSLOWITZ: --for All  
19 Week, remember.

20 KATIA KATSNELSON: Hi, my name is  
21 Katia Katsnelson, and I'm 10-years-old and I take  
22 lessons at Kensington Stables. I wanted to say  
23 that the members and staff members at Kensington  
24 Stables are not there to make a profit, but  
25 they're there to see the smile on their customers

1

2 and helpers' faces and they--what was I going to  
3 say?

4

5 All right, and about the--most  
6 people are working with papers and technology and  
7 money, Kensington Stables works with horses which  
8 are living animals that need to be cared for, and  
9 I think that they're cared for great in Kensington  
10 Stables.

11

12 Also I wanted to say that horse  
13 carriages shouldn't be replaced by cars because  
14 cars you cannot bond with cars, you can bond with  
15 horses; horse carriages aren't used for  
16 transportation, they used for, I mean--

17

18 FEMALE VOICE: They're as much as  
19 your best friend.

20

21 KATIA KATSNELSON: I mean horse  
22 carriages use--I mean, people use horses for horse  
23 carriages because they want other people to  
24 realize how good these animals are and how useful  
25 they are and how loving you can be to them.

26

I wanted to also say that--

27

[Off mic]

28

KATIA KATSNELSON: --like, shut up.

29

There are many more car accidents than there are

1  
2 with horse carriages, so they cannot possibly be  
3 replaced by cars. All right. Thank you.

4 CHAIRPERSON KOSLOWITZ: Thank you  
5 very much. Now this is the last person and I just  
6 want to say to you, thank you so much, you've  
7 really been great. It's a long hearing and we got  
8 through it in less time than the last hearing,  
9 because everybody cooperated, so I just want to  
10 say to all of you thank you very much. And I want  
11 to recognize Council Member Danny Dromm who has  
12 joined us. Joel Vincent.

13 JOEL VINCENT: Thank you.

14 [Long pause]

15 JOEL VINCENT: ... more than  
16 adequate. Thank you. First of all, I'm delighted  
17 to see finally a distinction has been made  
18 between--

19 [Crosstalk]

20 MALE VOICE: Take it easy.

21 [Pause]

22 CHAIRPERSON KOSLOWITZ: Go ahead.

23 JOEL VINCENT: I'm sorry.

24 SERGEANT-AT-ARMS: Okay, now.

25 JOEL VINCENT: Okay. Now my name

1  
2 is Joel Vincent. First of all, I'm delighted to  
3 see that finally a distinction has been made  
4 between our role as a riding stable in Brooklyn,  
5 New York, where I started riding, fell in love  
6 with horses approximately 67 years ago, therefore,  
7 I presume I'm the senior member that was mentioned  
8 before. As a senior citizen.

9 I've ridden in many parts of the  
10 world, I've made an effort to learn as much as I  
11 can. I confess I'm largely self-taught, but I  
12 listen to anybody I can who I feel I can learn  
13 from, and I read incessantly, and I have a passion  
14 for horses.

15 I'll start by saying that in this  
16 room alone there are youngsters that I've known  
17 since they're five years of age who have matured,  
18 developed a sense of responsibility, kindness,  
19 compassion towards animals, and have done nothing  
20 but benefit from their opportunity to be exposed  
21 to, work with, and come to love animals, and get  
22 great pleasure out of recognizing the mutual  
23 bonding that exists.

24 I will bring up Rocky, who is now  
25 blind, has been blind for seven years, although I

1  
2 go on a limb by saying this, I used him as a blind  
3 horse in the park to lead rides and to teach. The  
4 bonding between us was incomprehensible--I  
5 shouldn't say in comprehensible to those who know  
6 the intuition and the bonding one can form with an  
7 animal. Rocky, unfortunately, developed a  
8 lameness which kept him from working for the past  
9 five years. Nevertheless, in the struggling  
10 little stable that from month to month does its  
11 best to decide should we buy hay this month or  
12 bedding for the horses, and every one of us will  
13 give up our coffee money or anything we can to see  
14 that these horses are cared for. We have made  
15 this distinction between us and the carriage  
16 industry.

17 I'll close by saying that if  
18 everybody could take a horse home that they feel  
19 should not be working like you can go to a rescue  
20 shelter and get a dog, you can't bring a horse  
21 into your apartment. When I was a kid and I  
22 wanted one, my dad said, where are you going to  
23 keep him, in the bathtub?

24 So therefore, I have to mention the  
25 fact that Ferdinand, who was named by the New York

1  
2 Racing Association and the National Racing  
3 Association as Horse of the Year was found in a  
4 butcher's shop by some investigative journalist in  
5 Japan. That's the fate that awaits a Rocky if he  
6 is not fed, not continued, and he produces  
7 nothing--

8 CHAIRPERSON KOSLOWITZ:

9 [Interposing] Okay. We have to sum up, we have to  
10 be fair.

11 JOEL VINCENT: All right, I will  
12 sum up by saying Rocky hasn't been able to produce  
13 anything for the barn other than a lot of love, no  
14 financial reward, and yet he gets every bit as  
15 much food, grain, care, love, attention,  
16 affection, and exercise as any horse in the barn.

17 CHAIRPERSON KOSLOWITZ: Thank you.

18 JOEL VINCENT: Thank you.

19 CHAIRPERSON KOSLOWITZ: Thank you.

20 I just want to thank Lacy and Damien for doing the  
21 work on this and being here today.

22 [Pause]

23 CHAIRPERSON KOSLOWITZ: Meeting is  
24 adjourned. [Pause] Meeting is adjourned.

25 MALE VOICE: Thank you.

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature Tammy Wittman

Date April 8, 2010